

## **Unvalidated References:**

*Motor Traffic Act 1950*

*Land Transport Board Act 1968*

*Hire-purchase Act 1966*

*National Institute of Standards and Industrial Technology Act 1993*

*Unclaimed Goods Act 1966*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 January 2003.

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Legislative Counsel  
Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

### **Chapter 243.**

### ***Motor Traffic Regulation 1967***

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***Motor Traffic Regulation 1967***

MADE under the *Motor Traffic Act 1950*.

Dated                      200 .

**PART I. – PRELIMINARY.**

**1. INTERPRETATION.**

(1) In this Regulation, unless the contrary intention appears—

**“articulated vehicle”** means a motor vehicle—

- (a) on which a semi-trailer is superimposed; and
- (b) which bears a substantial part of the weight of, and any load on, the semi-trailer;

**“authorized inspection station”** means an inspection station authorized under Section 25A;

**“auxiliary head lamp”** means a forward facing lamp that—

- (a) provides illumination in conditions of fog, cloud or other atmospheric conditions that reduce visibility; and
- (b) is used to supplement or replace a head lamp, and includes a spot lamp or a fog lamp;

**“axle”** means one or more shafts, spindles or bearings—

- (a) in the same vertical transverse plane; and
- (b) with wheels mounted; and
- (c) which transmit a portion of the weight of a vehicle to a roadway;

**“axle load”** means the total weight transmitted to a roadway by an axle;

**“the Board”** means the Land Transport Board established by the *Land*

*Transport Board Act 1968;*

**“certificate of registration”** means a certificate of registration of a motor vehicle issued under Section 14(1)(b);

**“certificate of roadworthiness”** means a certificate issued under Section 25B;

**“court”** means a court of summary jurisdiction;

**“designated area”** means an area specified as such in Schedule 13;

**“driving licence”** means a licence granted under Section 5, and includes a provisional driving licence;

**“foreign driving licence”** means—

- (a) a licence to drive a motor vehicle issued under the law of a country other than Papua New Guinea; or
- (b) an international driving permit issued in any such country;

**“forward length”** means—

- (a) in relation to a motor vehicle, other than a trailer, the distance from the rear axis to the foremost part of the motor vehicle or any load on the motor vehicle; and
- (b) in relation to a trailer the front axle of which is steered by a towbar, the distance from the rear axis of the trailer to the centre of the front axle of the trailer; and
- (c) in relation to a trailer, other than a trailer referred to in Paragraph (b), the distance from the rear axis of the trailer to the point of attachment to the towing vehicle;

**“gross vehicle weight”** means—

- (a) the manufacturer’s gross vehicle weight; or
  - (b) the maximum weight specified by this Regulation,
- whichever is the lesser;

**“heavy vehicle”** means a vehicle the laden weight of which, together with the laden weight of any trailer drawn by it, exceeds 4t;

**“height”**, in relation to a motor vehicle means the height of the vehicle together with any load on the vehicle, measured from the surface on which the vehicle is standing;

**“laden weight”**, in relation to a heavy vehicle or trailer, means the weight of the vehicle or trailer together with its load (if any);

**“large trailer combination”** means a motor truck hauling a pole trailer or a trailer with more than one axle that is neither a prescribed vehicle

nor a caravan;

**“learner’s permit”** means a permit granted under Section 3;

**“load sharing system”** means an axle group suspension system that utilizes hydraulic, pneumatic, mechanical or other means to effect substantially equal load sharing by all the ground contact surfaces of an axle group;

**“manufacturer’s gross vehicle weight”** means the maximum gross vehicle weight of a vehicle or combination as specified by the manufacturer;

**“motor car”** means a motor vehicle (including a station wagon) constructed to be used principally for the carriage of persons, but does not include a motor cycle;

**“motor cycle”** includes a motor vehicle with less than four wheels and an unladen weight of less than 750kg;

**“motor omnibus”** means a public motor vehicle that plies for hire in such a way that separate fares are paid for each passenger;

**“motor tractor”** means a road, oil or steam engine constructed to be used—

- (a) for agricultural purposes; or
- (b) in connection with agricultural implements and machinery; or
- (c) for haulage or earth-moving purposes,

but does not include a vehicle used on a railway or tramway;

**“motor truck”** means a motor vehicle used principally—

- (a) for the carriage of goods, wares or merchandise; or
- (b) for the conveyance of any kind of materials used in any trade, business or industry; or
- (c) for use in any work other than the conveyance of passengers,

but does not include a motor tractor;

**“mudguard”** means a fitting, including any portion of a vehicle and any flaps attached to such fitting, that—

- (a) serves to intercept any material thrown up by the rotation of a wheel; and
- (b) is of an effective width not less than the total width of the tyre on that wheel;

**“operate”**, in relation to a motor vehicle means—

- (a) to use, drive or ride that motor vehicle; or
- (b) to permit the use, driving or riding of, that motor vehicle; or

- (c) to permit that motor vehicle to be,  
on a public street;

**“parking”**, in relation to a motor vehicle, means the standing or waiting on a public street of a stationary vehicle, whether or not—

- (a) the engine is idling or stopped; or
- (b) the driver is present,

but does not include standing or waiting in obedience to an official traffic sign, a police signal or an order or direction authorized, issued, made or given under the Act;

**“parking brake”** means a brake that can be readily applied by a driver and that is capable of remaining so applied for an indefinite period after the initial application without further application by the driver;

**“passenger”**, in relation to a motor vehicle, does not include the driver of the vehicle;

**“pedestrian crossing”** means that portion of the carriageway of a public street—

- (a) on which there is marked, by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, along or in the general direction of the carriageway, a series of lines parallel and near to each other, of equal or approximately equal length and breadth; or
- (b) between a pair of parallel broken or unbroken lines so marked across or partly across the carriageway,

and—

- (c) in a case referred to in Paragraph (a)—includes the portion of the carriageway between each line and between each boundary of the carriageway and the nearest line; and
- (d) in a case referred to in Paragraph (b), where the lines are marked partly across the carriageway—includes the portion of the carriageway between the prolongation of the lines;

**“places to which this form applies”** means places where the Departmental Head of the Department responsible for land transport, by notice in the National Gazette declares that the Motor Traffic (Licences) Regulation 1979 applies;

**“places to which this item applies”** means places where the Departmental Head of the Department responsible for land transport, by notice in the National Gazette declares that the Motor Traffic (Licences) Regulation 1979 applies;

**“places to which this paragraph applies”** means places where the Departmental Head of the Department responsible for land transport, by notice in the National Gazette declares that the Motor Traffic (Licences) Regulation 1979 applies;

**“places to which this section applies”** means places where the Departmental Head of the Department responsible for land transport, by notice in the National Gazette declares that the Motor Traffic (Licences) Regulation 1979 applies;

**“places to which this subsection applies”** means places where the Departmental Head of the Department responsible for land transport, by notice in the National Gazette declares that the Motor Traffic (Licences) Regulation 1979 applies;

**“prescribed vehicle”** means an excavator, forklift truck, grader, roller or other similar motor vehicle;

**“private hire car”** means a public motor vehicle that carries any person for monetary or any other material consideration, but does not ply for hire;

**“provisional driving licence”** means a licence granted under Section 4;

**“rear axis”** means—

- (a) in relation to a vehicle with only one non-steering axle, the centre of that axle; and
- (b) in relation to a vehicle with two or more nonsteering axles, a point midway between the centre of the first and the centre of the last non-steering axle;

**“registration label”** means a label issued under Section 18;

**“safety glass”** means glass so constructed or so treated that if it is fractured it does not fly into fragments likely to cause severe cuts;

**“safety sticker”** means a safety sticker issued with a certificate of roadworthiness;

**“semi-trailer”** means a trailer—

- (a) the forward end of which is superimposed on another motor vehicle; and
- (b) that is attached to that other motor vehicle by means of a turntable or king pin;

**“service brake”** means a brake for intermittent use readily applicable by use generally of the driver’s foot to retard or stop a vehicle;

**“stop lamp”** means a rearward facing red lamp, not exceeding 25w capacity, that—

- (a) comes into operation when a driver applies the service break; and
- (b) gives warning that the vehicle is slowing down or stopping;

**“stopping place sign”** means a sign in Form 15C;

**“tandem axle group”** means two adjacent axles the centres of which are not less than 1m and not more than 2m apart;

**“tare”** means the unladen weight of a vehicle and includes—

- (a) the weight of any fuel in the tank of the vehicle; and
- (b) the weight of any tools or equipment necessary for the operation of the vehicle;

**“taxicab”** means a public motor vehicle—

- (a) that is designed to carry at least four persons, excluding the driver, and any luggage belonging to such persons; and
- (b) that plies for hire in such a way that a separate fare is not paid in respect of each person for its hire;

**“trader’s plate”** means a number-plate issued under Section 82(a);

**“trader’s plate certificate”** means a certificate issued under Section 82(b) in relation to a trader’s plate;

**“traffic lane”** means a laneway for the passage of vehicles marked along the carriageway, the boundaries of which are indicated by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, and includes any such laneway where—

- (a) one boundary is so indicated; and
- (b) the other is a lateral edge of the carriageway or of an island, strip, platform, plot or other division;

**“tri-axle group”** means three consecutive axles of which the two outer axles have centres not less than 2m and not more than 3.2m apart;

**“twin steer axle group”** means two axles fitted with single tyres which are so connected through steering gear to the steering wheel that both axles move in conjunction with the steering wheel to control the direction in which a motor vehicle will travel;

**“tyre-load”** means the total weight transmitted to the road by a tyre;

**“visiting motor vehicle”** means a motor vehicle registered outside the country, and brought for temporary use into the country;

**“weighbridge officer”** means an officer appointed under Section 109;

**“wheel”** in relation to a motor vehicle or a trailer means a wheel the tyre or

rim of which is in contact with the road;

**“wide profile tyre”** means a single tyre with a tyre section width of not less than 450mm and rated to perform the function of dual tyres;

**“width”** in relation to a motor vehicle, means the width of the motor vehicle measured between vertical planes parallel to the longitudinal axis of the motor vehicle and passing through the extreme projecting points thereof including any load carried on the motor vehicle, but excluding any mirrors, side marker lights or direction indicators fitted to the motor vehicle;

**“windscreen wiper”** means a device capable of effectively moving rain, snow or other moisture from the windscreen immediately in front of the driver of a vehicle so as to give him a sufficient view of the road in front of the vehicle.

(2) For the purposes of this Regulation, the power rating of a motor vehicle shall be ascertained in accordance with the formula of the Society of Automotive Engineers.

(3) In this Regulation—

- (a) a reference, by number, to a class of motor vehicles is a reference to a class, so numbered, of motor vehicles as described in Part I. of Schedule 3; and
- (b) a reference, by number, to a class of driving licences is a reference to a driving licence to drive a vehicle of the class, so numbered, of motor vehicles.

## **PART II. – LICENSING OF DRIVERS.**

### **2. APPLICATIONS FOR LEARNERS’ PERMITS AND LICENCES.**

(1) An application for a learner’s permit or a driving licence, a provisional driving licence or for the renewal of a driving licence, shall be made in Form 1 or 2, as the case requires.

(2) On receipt of an application under Subsection (1), the Superintendent may, by written notice to the applicant, require him to attend at the office of the Superintendent on a date specified in the notice.

### **3. GRANT OF LEARNERS’ PERMITS.**

(1) Subject to the payment of fees in accordance with Schedule 10 and Section 159, the Superintendent may grant to a person who—

- (a) is, subject to Subsection (3), not less than 21 years of age; and
- (b) holds, or has previously held, for a period of not less than 12 months—
  - (i) a licence; or



- (ii) a provisional licence; or
- (iii) a foreign driving licence,

to drive a motor vehicle (other than a motor cycle only),  
being a licence that has not been cancelled,

a permit in Form 3 authorizing him, subject to this Regulation, to learn to drive a motor vehicle of any class.

(2) The Superintendent may grant to a person who is, subject to Subsection (3), not less than 16 years and nine months of age a permit in Form 3 authorizing him, subject to this Regulation, to learn to drive a motor vehicle other than—

- (a) a motor vehicle weighing more than 2t; or
- (b) a motor car equipped to seat more than eight adult persons (including the driver).

(3) Where the Superintendent is satisfied that special circumstances exist that justify the granting of a permit referred to in Subsection (1) or (2) to a person who is under the age specified in that subsection, he may grant such a permit to him.

(4) A learner's permit shall not be granted for a period exceeding three months.

(5) The holder of a learner's permit must not drive on a public street a motor vehicle other than a motor cycle unless—

- (a) the seat next to the learner is occupied—
  - (i) by a person who holds a current driving licence; or
  - (ii) by—
    - (A) a member of the Police Force; or
    - (B) a person authorized by the Superintendent for the testing of drivers,

who is submitting the learner to a driving test for any of the purposes of the Act; and

- (b) there is displayed conspicuously and so as to be clearly visible at the front and rear, respectively, of the vehicle a sign, issued or authorized by the Superintendent, showing the letter "L" in black on a yellow background.

(6) The holder of a learner's permit must not drive on a public street a motor cycle—

- (a) if the motor cycle is being used for the carriage of any other person; or
- (b) unless there is displayed conspicuously and so as to be clearly visible

at the rear of the motor cycle a sign, issued or authorized by the Superintendent, showing the letter “L” in black on a yellow background.

(7) Without limiting the liability of any other person, if the owner or person in charge of a motor vehicle—

- (a) causes or permits; or
- (b) fails to take reasonable precautions to prevent,

a contravention of Subsection (5) or (6) in relation to the vehicle, he is guilty of an offence.

(8) A person shall not learn to drive, or teach a person to drive, in a public motor vehicle while it is plying for hire or carrying passengers.

Penalty: A fine not exceeding K50.00.

#### **4. PROVISIONAL LICENCES.**

(1) Subject to the payment of fees in accordance with Schedule 10 and Section 159, and to Section 7, the Superintendent may grant a provisional driving licence in Form 5 (endorsed with the word “Provisional”) to drive a motor vehicle of a class or classes specified in the licence to a person who—

- (a) has not previously held a licence to drive a motor vehicle, or a motor vehicle of the class for which the licence is sought; and
- (b) satisfies him that—
  - (i) he is capable of driving, with safety to the public, the class or classes of motor vehicle intended to be specified in the licence; and
  - (ii) subject to Section 6, he is not less than—
    - (A) 17 years of age, in the case of a proposed Class 1 or Class 5 licence; or
    - (B) 21 years of age, in the case of any other class of licence.

(1A) In the places to which this subsection applies, subject to the payment of fees in accordance with Schedule 10 and Section 159, and to Section 7, the Superintendent may grant a provisional driving licence in Form 5A (endorsed with the word “Provisional”) to drive a motor vehicle of a class or classes specified in the licence to a person who—

- (a) has not previously held a licence to drive a motor vehicle, or a motor vehicle of the class for which the licence is sought; and
- (b) satisfies him that—
  - (i) he is capable of driving, with safety to the public, the class or classes of motor vehicle intended to be specified in the licence;

and

(ii) subject to Section 6, he is not less than—

(A) 17 years of age, in the case of a proposed Class 1 or Class 5 licence; or

(B) 21 years of age, in the case of any other class of licence.

(2) A provisional driving licence shall relate to one person only.

(3) The holder of a provisional driving licence must not drive on a public street—

(a) a motor vehicle other than a motor cycle, unless there is displayed conspicuously and so as to be clearly visible at the front and the rear respectively, of the vehicle; or

(b) a motor cycle, unless there is displayed conspicuously and so as to be clearly visible at the rear of the motor cycle,

a sign issued or authorized by the Superintendent, showing the letter “P” in red on a white background.

Penalty: A fine not exceeding K500.00.

(4) Where the holder of a provisional driving licence is convicted of an offence referred to in Schedule 2, the Superintendent may—

(a) cancel the licence; and

(b) specify the time that will elapse before he may apply for a further provisional driving licence.

(5) A person who wishes to apply for a further provisional driving licence in accordance with Subsection (4)(b) shall—

(a) make a new application for a provisional driving licence, and

(b) pay the further fee prescribed by Schedule 10; and

(c) satisfy the Superintendent that he is capable of driving, with safety to the public, the class or classes of motor vehicle intended to be specified in the licence.

## **5. LICENCES.**

(1) Subject to the payment of fees in accordance with Schedule 10 and Section 159, and to Section 7 and any other provision of this Regulation and any other law, the Superintendent may grant a licence, in Form 5, of a particular class to a person who satisfies him that—

(a) he is capable of driving, with safety to the public, motor vehicles of the class intended to be specified in the licence; and

(b) he has previously held, for a period of not less than 12 months—

- (i) a driving licence; or
- (ii) a foreign driving licence,

to drive a motor vehicle of the class intended to be specified in the licence; and

- (c) subject to Section 6, he is not less than—
  - (i) 17 years of age, in the case of a proposed Class 1 or Class 5 driving licence; or
  - (ii) 21 years of age, in the case of any other class of driving licence.
- (2) A licence shall relate to one person only.

## **6. EXTENSION OF AGE.**

(1) Where the Superintendent is satisfied that special circumstances exist that justify the granting or renewing of a driving licence to a person who—

- (a) is under the age specified in Section 4(1)(b) or 5(1)(c); and
- (b) is otherwise qualified to hold a licence of the relevant class,

he may grant or renew the licence.

(2) A driving licence granted or renewed in accordance with Subsection (1) may be made subject to any conditions and restrictions that the Superintendent thinks proper to impose in the interests of safety.

## **7. CERTIFICATES OF COMPETENCY.**

(1) Subject to Subsection (3) a licence may not, and a provisional licence shall not, be granted to an applicant unless—

- (a) the certificate of competency on Form 2 has been completed by a member of the Police Force; and
- (b) the applicant has, if required, passed an eyesight test, tested with standard Snellens Test Type at a distance of 6m.

(2) In an eyesight test for the purposes of Subsection (1)(b)—

- (a) each eye shall be tested separately; and
- (b) the minimum standard vision required is that if one eye is less than 6/60 vision or sightless—
  - (i) the other can be corrected by glasses to 6/12; or
  - (ii) each eye can be corrected by glasses to 6/18.

(3) If an applicant—

- (a) has no apparent physical disability that, in the opinion of the Superintendent, would affect his control of a motor vehicle; and
- (b) holds, or has held within the preceding 12 months, a driving licence

issued in Australia, the Dominion of New Zealand or Fiji,  
the Superintendent may exempt him from the driving and eyesight test.

## **8. PERIOD OF LICENCES.**

(1) Unless sooner cancelled or suspended, a driving licence, or a renewal of a driving licence, remains in force for a period of 12 months.

(1A) In a place to which this subsection applies and subject to Subsection (4), unless sooner cancelled or suspended a licence to drive a motor vehicle or renewal of such a licence shall be in force for three years from and including the date of issue.

(2) Subject to the payment of fees in accordance with Schedule 10 and Section 159, the Superintendent may from time to time renew, for a period of 12 months, a driving licence other than a provisional licence.

(2A) In the places to which this Subsection applies, subject to the payment of fees in accordance with Schedule 10 and Section 159, the Superintendent may renew a licence issued under Section 5(1) for a period of three years.

(3) The renewal of a driving licence takes effect on the day immediately following the day on which the licence, or the previous renewal of the licence, as the case may be, expired.

(3A) In a place to which this subsection applies, a renewal of a licence to drive a motor vehicle where application for renewal is made before the expiration of that licence shall be in force from and including the day immediately following the day on which the licence expires.

(4) In a place to which this subsection applies, where an application for the renewal of a licence to drive a motor vehicle is made during the 42 days following the expiration of that licence the Superintendent may renew the licence for a period starting on the date of receipt of the application and ending three years after the date when the previous licence expired.

## **9. WEARING OF SPECTACLES.**

(1) A person who, while being tested for a driving licence, wears spectacles must wear spectacles while driving a motor vehicle.

Penalty: A fine not exceeding K500.00.

(2) A driving licence issued to a person who, while being tested, wears spectacles shall be endorsed with, or bear on its front, the word "Spectacles."

(3) The holder of a driving licence referred to in Subsection (2) who is found driving without spectacles shall be deemed to be driving without a licence.

## **10. TRANSFERABILITY OF LICENCES.**

A driving licence is not transferable.

## **11. MEDICAL EXAMINATIONS.**

The Superintendent may request—

- (a) an applicant for the grant or renewal of a driving licence; or
- (b) a holder of a driving licence,

to obtain a certificate signed by a medical practitioner to the effect that—

- (c) he has, on the date of the certificate, personally examined the applicant or holder, as the case may be, knowing him to be—
  - (i) an applicant for the grant or renewal of the licence; or
  - (ii) the holder of the licence,

as the case may be; and

- (d) in his opinion, having all proper regard to the safety of the public generally, the applicant or holder, as the case may be, is medically a fit and proper person to act as a driver of a motor vehicle,

or the Superintendent may request that such a certificate be obtained from a medical practitioner specified by the Superintendent.

## **12. FOREIGN LICENCES.**

(1) Notwithstanding this Regulation, a foreign driving licence shall, so long as it is in force, be deemed to be equivalent to, and be accepted in place of, a driving licence under this Regulation for the purpose of authorizing the holder to drive in Papua New Guinea any vehicle of the type or class to the driving of which the foreign licence applies—

- (a) on the conditions subject to which the foreign licence was issued; and
- (b) for a period of six months from and including the date of entry into Papua New Guinea of the holder.

(2) Subsection (1) applies only where the holder of a foreign driving licence—

- (a) usually resides outside Papua New Guinea and is temporarily in Papua New Guinea; and
- (b) has not been given notice by the Superintendent under Subsection (3) that his foreign licence is not acceptable in place of a Papua New Guinea driving licence; and
- (c) is not otherwise disqualified from obtaining or holding a driving licence in Papua New Guinea.

(3) The Superintendent may at any time—

- (a) by written notice served on the holder of a foreign driving licence; and
- (b) by endorsement to that effect on the licence,

cancel the acceptance of a foreign driving licence in accordance with Subsection (1) if–

- (c) in the opinion of the Superintendent, having regard to the safety of the public generally, it is not desirable that the person should be allowed to drive a motor vehicle; or
- (d) the person–
  - (i) has, in the opinion of the Superintendent, any mental or physical disability that is likely to affect his efficiency in driving a motor vehicle, having regard to the safety of the public generally; or
  - (ii) is, in the opinion of the Superintendent, otherwise not fit to drive a motor vehicle; or
  - (iii) has been convicted of an offence in connection with the driving of a motor vehicle.

(4) The holder of a foreign driving licence must–

- (a) while driving a motor vehicle, carry the licence; and
- (b) produce the licence on request by a member of the Police Force.

Penalty: A fine not exceeding K500.00.

### **PART III. – REGISTRATION OF VEHICLES.**

#### **13. APPLICATION FOR REGISTRATION, ETC.**

(1) An application for the registration, or for the renewal or transfer of the registration, of a motor vehicle shall be made to the Superintendent in Form 7 or 8, as the case requires.

(1A) A certificate of roadworthiness shall be in Form 8A.

(1B) An application under Subsection (1) shall be lodged–

- (a) where made by a natural person, to the motor vehicle registry for the province in which he is ordinarily resident or, where he is ordinarily resident in the National Capital District, to the motor vehicle registry for the National Capital District; and
- (b) where made by a corporate body, to the motor vehicle registry for the province in which the motor vehicle is principally to be used or where the motor vehicle is principally to be used in the National Capital District, to the motor vehicle registry for the National Capital District.

(2) On receipt of an application under Subsection (1), the Superintendent may, by written notice to the applicant, require him to attend at the office of the Superintendent on a date specified in the notice.

(3) An application under Subsection (1) may, in Form 8A, at the time of

making the application, request the Superintendent—

- (a) to transfer to the motor vehicle in respect of which the application is made the registered number of another motor vehicle registered in the name of the applicant; and
- (b) to allot to the motor vehicle in respect of which the application is made a specific registered number not yet issued and out of the normal sequence,

and the Superintendent may agree to the request.

(4) Where the Superintendent agrees to a request under Subsection (3) the prescribed fee.

(5) The fee payable under Subsection (4) is in addition to any other fee payable in respect of the application.

### **13A. CERTIFICATE OF ROADWORTHINESS.**

(1) [*Repealed.*]

(2) A motor vehicle shall not be registered, and a registration shall not be renewed or transferred, under this Regulation unless there is produced at the time of the application for registration, or renewal or transfer of registration, a certificate of roadworthiness issued within seven days immediately before the making of that application in respect of that vehicle.

### **14. REGISTRATION.**

(1) Subject to the payment of fees in accordance with Schedule 10 and Section 159, and to any other provision of this Regulation, the Superintendent may—

- (a) register a motor vehicle in any class if he is satisfied that that motor vehicle complies with the requirements of Section 13A(2);
- (b) issue a certificate of registration in Form 9 accordingly.

(2) Subject to such conditions as he may determine, the Superintendent may exempt a motor vehicle from any of the requirements of Parts VIII, IX and X.

(3) The Superintendent may refuse to register a vehicle that he thinks would be, by reason of its condition, design or construction, a source of danger or annoyance to the public.

(4) A certificate of registration shall relate to a single vehicle only.

### **15. REGISTRATION IN CASES OF JOINT OWNERSHIP.**

Registration of a motor vehicle on behalf of a partnership or company may be applied for by, or granted to, any member of the partnership, or the secretary or manager of the company, as the case may be.



## **16. PERIOD OF REGISTRATION.**

(1) Subject to Subsection (2)–

- (a) unless sooner cancelled or suspended, the registration, or the renewal of the registration, of a motor vehicle remains in force for a period of 12 months; and
- (b) subject to the payment of fees in accordance with Schedule 10 and Section 159, the Superintendent may from time to time renew the registration of a motor vehicle for a period of 12 months; and
- (c) the renewal of the registration of a motor vehicle takes effect on the day immediately following the day on which the registration, or the previous renewal of the registration, as the case may be, expired.

(2) A certificate of registration for a motor vehicle the property of the State shall be issued for such period as the motor vehicle remains the property of the State.

## **17. PRODUCTION OF VEHICLE ON REGISTRATION, ETC.**

(1) Subject to Subsection (2), where application is made for the registration or the renewal of registration of a motor vehicle the vehicle shall be produced as directed by the Superintendent.

(2) Where because of distance from a Motor Vehicles Registry or other cause the production of a vehicle for renewal of registration is, in the opinion of the Superintendent, unreasonable or impracticable, he may, on production of evidence of the condition of the vehicle and its fitness for registration, renew the registration without production of the vehicle.

## **18. REGISTRATION LABELS.**

(1) The Superintendent may, in respect of a registered motor vehicle, issue–

- (a) a registration label containing the registration number allotted to that motor vehicle; and
- (b) a further registration label each time the registration is renewed.

(2) As soon as practicable after the registration of a motor vehicle, the owner of that motor vehicle shall cause the registration label issued under Subsection (1)–

- (a) in the case of a motor vehicle fitted with a windscreen, to be affixed to the inner left hand corner of the windscreen; and
- (b) in any other case, to be affixed in a conspicuous position on the left hand side of the motor vehicle.

(3) A person who drives or permits to be driven a registered motor vehicle in a public street without having a current registration label, clearly legible, attached to the vehicle in accordance with this Regulation is guilty of an offence.

Penalty: A fine not exceeding K20.00.

## **19. NUMBER PLATES.**

(1) Subject to Subsections (2), (3) and (4), as soon as is practicable, and in any case within 7 days—

- (a) after the date of registration of a motor vehicle; or
- (b) after the receipt of a new number-plate or number-plates under Subsection (6),

the owner of the motor vehicle shall cause the number-plate or number-plates issued in respect of that vehicle or the new number-plate, as the case may be, to be securely affixed to that motor vehicle.

(2) In the case of a motor-cycle or a trailer one number plate shall be affixed to the rear of the vehicle.

(3) In the case of a motor vehicle other than a motor-cycle or a trailer, one number-plate shall be affixed to the front, and one number-plate shall be affixed to the rear, of the vehicle.

(4) A number-plate affixed under Subsection (2) or (3) shall be clearly visible at all times.

(5) Where the figures or letters, or both, on a number-plate are so defaced that they are not easily legible, the owner of the motor vehicle to which the number-plate is affixed shall notify the Superintendent forthwith.

(6) The Superintendent shall—

- (a) on receipt of a notification under Subsection (5); and
- (b) on payment by the owner of the motor vehicle of the fee specified in Schedule 10,

supply to that owner a new number-plate or number-plates.

(7) On receipt of a new number-plate or number-plates under Subsection (6), the owner of the motor vehicle in respect of which the new number-plate or number-plates is supplied, shall forthwith surrender the defaced number-plate to the Superintendent.

(8) Subject to Subsection (9) and to any other Act, an owner of a motor vehicle shall not cause or permit a number-plate bearing a number other than the registered number of that motor vehicle to be affixed to that motor vehicle.

(9) Subject to Section 25, a visiting motor vehicle may bear the number plate issued for it under the law of the country from which it comes.

(10) The driver of a motor vehicle who permits anything to be placed on or attached to the motor vehicle in such a manner as to obstruct, or to render indistinct any lettering or any figure on, a number-plate, is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **19A. FORM OF NUMBER-PLATES.**

(1) A number-plate for a motor vehicle issued under this Regulation shall bear—

- (a) for the official vehicle of the Governor-General—a gold crown on a red background; and
- (b) for the official vehicles of Ministers of the National Parliament—the letters “MP” in red, and two numerals in black, on a white background; and
- (c) for the official vehicles of members of the Diplomatic Corps—the letters “DC” followed by numerals, in white on a maroon background; and
- (d) for the official vehicles of members of the Consular Service—the letters “CC” followed by three numerals, in white on a black background; and
- (e) subject to Subsection (3), for motor vehicles owned by the State, including motor vehicles owned by the Defence Force, the Police Force, an instrumentality of the State or a statutory body—
  - (i) in the case of a motor vehicle, other than a motor cycle, three letters and three numerals in a series commencing with “ZAA 000” and ending with “ZZZ 999”, having the first letter in red and the remaining letters and numerals in black, on a white background; and
  - (ii) in the case of a motor cycle two letters and three numerals in a series commencing with “ZA 000” and ending with “ZZ 999”, having the first letter in red and the remaining letter and numerals in black, on a white back-ground; and
- (f) for motor vehicles owned by a Provincial Government—
  - (i) in the case of a motor vehicle, other than a motor-cycle, three letters and three numerals in a series commencing with “PAA 000” and ending with “PZZ 999”, having the first letter in red and the remaining letters and numerals in black, on a white background; and
  - (ii) in the case of a motor-cycle, two letters and three numerals in a series commencing with “PA 000” and ending with “PZ 999”, having the first letter in red and the remaining letter and numerals in black, on a white background; and
- (g) for traders plates, the letters “TT”, followed by three numerals, in red, on a white background; and
- (h) for taxicab plates, the letter “T”, followed by four numerals, in black,

on a yellow background; and

- (i) for private hire car plates, the letter “H”, followed by four numerals, in black, on a yellow background; and
- (j) for motor omnibus plates—
  - (i) in the case of a motor omnibus that is licensed to operate in a designated area, the letter “P” followed by three numerals and one letter in a series commencing with “P 000 A” and ending with “P 999 M”, in black, on an orange background; and
  - (ii) in the case of a motor omnibus that is licensed to operate in an area other than a designated area, the letter “P” followed by three numerals and one letter in a series commencing with “P 000 N” and ending with “P 999 Z”, in black, on a blue background; and
- (k) privately owned motor vehicles, three letters followed by three numerals, in black, on a white background; and
- (l) for privately owned motor cycles, two letters followed by three numerals, in black, on a white background; and
- (m) for trailers, the letters “TR” followed by four numerals, in black, on a green background; and
- (n) where the Superintendent agrees on the issue of a personalized number plate, a personalized number plate with three letters followed by three numerals, in black and gold background.

(2) Except as provided by this Regulation or under any other law, a person shall not drive a motor vehicle having on it a number-plate other than one prescribed under Subsection (1).

(3) For the purposes of Subsection (1)(j), the areas specified in Schedule 13 are designated areas.

(4) The Superintendent may, in his discretion, issue to State owned motor vehicles including motor vehicles owned by the Defence Force, the Police Force, an instrumentality of the State or a statutory body, number plates of the type issued to privately owned motor vehicles under Subsection (1)(k).

## **20. TRANSFERABILITY OF NUMBER-PLATES AND REGISTRATION LABELS.**

(1) Subject to the agreement of the Superintendent to a request under Section (13)(3)(a), the owner of a motor vehicle must not transfer, or permit to be transferred, to another motor vehicle a number-plate or registration label issued for the first-mentioned vehicle.

(2) A person who, except as provided in this Regulation, drives a motor

vehicle that has on it a number-plate or registration label other than the one currently issued for it is guilty of an offence.

Penalty: A fine not exceeding K50.00.

## **21. ALTERATIONS IN DESCRIPTIONS OF REGISTERED VEHICLES.**

(1) Where an alteration affecting the accuracy of any particulars of the description in the certificate of registration of a motor vehicle has been made to the vehicle, the owner must immediately forward to the Superintendent—

(a) the certificate of registration; and

(b) the particulars of the alteration.

Penalty: A fine not exceeding K50.00.

Default penalty: A fine not exceeding K10.00.

(2) The Superintendent shall note the alteration on the certificate and return it to the owner.

(3) Where a motor cycle is registered for use without a side-car, an alteration in the certificate to allow it to be used with a side-car must not be made unless the fee prescribed by Schedule 10 is paid.

Penalty: A fine not exceeding K20.00.

## **22. INCORRECTLY DESCRIBED VEHICLES.**

A person who drives, or permits a person to drive, on a public street a motor vehicle that differs in a material particular from the description appearing in its certificate of registration is guilty of an offence.

Penalty: A fine not exceeding K50.00.

## **23. SALE, ETC., OF VEHICLES.**

(1) A person who sells or otherwise disposes of a registered motor vehicle for, or on behalf of, the owner or any other person must forward to the Superintendent within seven days—

(a) the certificate of registration of the vehicle; and

(b) a written authority from—

(i) the owner; or

(ii) a person entitled to dispose of the vehicle,

to transfer the registration of the vehicle; and

(c) the full name and address of the person to whom the vehicle has been sold or disposed of.

Penalty: A fine not exceeding K50.00.

Default penalty: A fine not exceeding K10.00.

(2) An owner who sells or disposes of his motor vehicle must, within 14 days after the sale or disposal, give written notice to the Superintendent of—

- (a) the sale or disposal; and
- (b) if the purchaser, or the person to whom the owner disposes of the vehicle, resides or carries on business in the country—the name and address of the purchaser or of that person, as the case may be,

and must at the same time deposit with or forward to the Superintendent the certificate of registration of the motor vehicle.

Penalty: A fine not exceeding K50.00.

Default penalty: A fine not exceeding K10.00.

(3) Until Subsection (2) is complied with, the person in whose name the motor vehicle is registered is liable as owner for any breach, in respect of the motor vehicle, of the provisions of this Regulation that apply to the owner.

(4) A person to whom a motor vehicle is sold or disposed of must, within 14 days after the purchase or disposal of the vehicle, apply to the Superintendent to have the registration of the vehicle transferred to him.

Penalty: A fine not exceeding K20.00.

(5) If the Superintendent approves the transfer of the registration of a motor vehicle, he shall, on payment by the applicant of the fee prescribed by Schedule 10, issue to him a certificate of transfer of registration in Form 10.

(6) A certificate of transfer issued under Subsection (5) shall be deemed to be the certificate of registration of the motor vehicle.

(7) Where, for any reason, the condition of a motor vehicle is such that it is no longer capable of being driven, the owner of that vehicle shall, as soon as practicable after he first becomes aware of the condition of the vehicle, forward to the Superintendent—

- (a) the certificate of registration; and
- (b) the number plates,

issued in respect of that vehicle.

Penalty: A fine not exceeding K100.00.

## **24. PRODUCTION OF REGISTERED VEHICLES FOR INSPECTION.**

(1) The Superintendent may at any time, by written notice, direct that a registered motor vehicle be produced by the owner, or the person in whose possession it is, for inspection at a time and place specified in the notice.

(2) A person who fails to produce a motor vehicle in accordance with a

direction under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K50.00

Default penalty: A fine not exceeding K10.00.

## **25. VISITING MOTOR VEHICLES.**

(1) Within 48 hours after the vehicle arrives in Papua New Guinea, the owner or driver of a visiting motor vehicle may apply to the Superintendent or an Inspector of Motor Traffic for a visiting motor vehicle permit.

(2) When the Superintendent or an Inspector of Motor Traffic receives an application under Subsection (1), he may issue a visiting motor vehicle permit for a period of not more than six months from the date of the issue of the permit.

(3) If the owner or driver of a visiting motor vehicle holds a licence under the laws of the country from which the motor vehicle comes corresponding to the licence that, but for this section, he would be required to hold under this Regulation, he shall be deemed to hold the corresponding licence under this Regulation.

(4) If a visiting motor vehicle remains in Papua New Guinea for a period exceeding six months—

- (a) it shall be deemed to have ceased to be a visiting motor vehicle; and
- (b) the owner or driver of the vehicle must apply immediately for registration of the vehicle under this Regulation before continuing to use it on a public street.

Penalty: A fine not exceeding K50.00.

Default penalty: A fine not exceeding K10.00.

## **PART IIIA. – AUTHORIZED INSPECTION STATIONS.**

### **25A. DECLARATION OF AUTHORIZED INSPECTION STATION.**

(1) The Superintendent may—

- (a) on payment of the fee specified in Schedule 11.5 and 11.6; and
- (b) on satisfactory examination of the staff and equipment of—
  - (i) a motor vehicle distributor; or
  - (ii) a motor vehicle repair shop; or
  - (iii) other premises,

by notice in the National Gazette declare that distributor or repair shop, or those premises, to be an authorized inspection station for the purposes of this Regulation.

(2) For the purposes of this section, a workshop operated by the Department responsible for plant and transport matters, is deemed to have been declared an authorized inspection station under Subsection (1) for State owned motor vehicles

only.

## **25B. CERTIFICATE OF ROADWORTHINESS.**

(1) In this section—

**“the appropriate charge”** means a charge fixed by the owner of an authorized inspection station not being greater in respect of any vehicle than the prescribed fee in respect of that vehicle;

**“the prescribed fee”**, in respect of any vehicle, means the fee specified in Part I of Schedule 11 in respect of that vehicle;

**“to operate”** in respect of a motor vehicle, means—

- (a) to use, drive or ride; or
- (b) permit the use, driving or riding; or
- (c) permit it to be,  
on a public street.

(2) The owner or operator of an authorized inspection station, either by himself or by a competent person acting on his behalf—

- (a) shall, on payment of the appropriate charge, examine and test a vehicle presented at the station for examination and testing; and
- (b) shall, if he is satisfied that the vehicle conforms with the requirements of Parts VIII, IX and X of the Regulation, on payment of the fee specified in Schedule II.3, issue to the person presenting the vehicle—
  - (i) a certificate of roadworthiness in Form 8A; and
  - (ii) a safety sticker in Form 10A;

(3) The examination and testing shall be conducted in such manner as is directed by the Superintendent, and for that purpose, the owner of an authorized inspection station shall provide and maintain in a serviceable condition such equipment and facilities as are required by the Superintendent to be used in connection with the examination and testing of vehicles.

(4) A person aggrieved by the refusal of or failure to issue a certificate of roadworthiness in respect of a vehicle may appeal to the Minister responsible for transport matters who may—

- (a) arrange for the examination and testing of the vehicle; and
- (b) for the purpose of any such examination and testing—arrange to make use at all reasonable times of the equipment and facilities of the authorized inspection station; and
- (c) authorize the grant or refusal of a certificate of roadworthiness; and
- (d) where a certificate of roadworthiness is granted under Paragraph (c)—



authorize the issue of a safety sticker.

(5) Where, after payment of the prescribed fee and examination of a vehicle, the issue of a certificate of roadworthiness is refused by the owner of an authorized inspection station, he shall not charge an additional fee for any subsequent examination or examinations and testing of that vehicle at that service station for the purpose of the issue of a certificate during a period of 30 days from the date the vehicle was first presented for examination and testing.

(6) The person to whom a safety sticker is issued under this section shall ensure that it is immediately affixed to the windscreen of, or in another conspicuous location on, the vehicle in such manner that it shall remain displayed in that position for the period for which the certificate of roadworthiness is current.

(7) Where a certificate of roadworthiness or a safety sticker is lost, defaced or destroyed, a replacement may be issued on payment of the fee specified in Part 2 of Schedule 11, which is current for the period of the certificate in respect of which the replacement is issued.

(8) A certificate of roadworthiness issued under this Part shall remain in force for six months.

(9) Subject to Subsection (11), a person who, on a public street, operates a vehicle that does not have affixed to it a current safety sticker in accordance with this section is guilty of an offence.

Penalty: A fine not less than K25.00 and not exceeding K100.00.

(10) Subject to Subsection (11), a person who operates a vehicle on a public street that does not have affixed to it a current safety sticker in accordance with this section is guilty of an offence.

Penalty: A fine not less than K25.00 and not exceeding K100.00.

(11) It is a defence to a charge under Subsection (9) or (10) if the person charged proves to the satisfaction of the court that the vehicle was being operated solely for the purpose of obtaining a certificate of roadworthiness and a safety sticker.

## **25C. DUTIES OF OWNERS OF AUTHORIZED INSPECTION STATIONS.**

(1) The owner or operator of an authorized inspection station who fails to—

- (a) display at all times in a prominent position at or near the inspection station a sign bearing only the words “Authorized Inspection Station” in legible letters not less than 50 mm in height, in the English language and such other language or languages as are directed by the Superintendent; and
- (b) provide at all reasonable times during ordinary working hours courteous and efficient service for persons presenting vehicles for examination and testing for roadworthiness; and

- (c) ensure that close supervision is kept over all persons engaged in examining and testing vehicles for roadworthiness; and
- (d) advise the Superintendent of any change or proposed change of name, location or ownership of the authorized inspection station; and
- (e) maintain such records and furnish such returns and information as to examinations and tests conducted by him as are reasonably required by the Superintendent,

is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K200.00.

(2) The owner or operator of an authorized inspection station who—

- (a) solicits a person (otherwise than by means of a public advertisement or by means of the sign referred to in Subsection (1)(a))—
  - (i) to have his vehicle examined and tested for roadworthiness at the authorized inspection station; or
  - (ii) to have made at the authorized inspection station any repairs or adjustments to his vehicle shown to be necessary or desirable by an examination or test for roadworthiness; or
- (b) represents to any person that any repair or adjustments to a vehicle shown to be necessary or desirable by an examination or test for roadworthiness are required to be made at the authorized inspection station,

or permits any other person to so solicit or represent, is guilty of an offence.

Penalty: A fine of not less than K50.00

(3) The owner or operator of an authorized inspection station who—

- (a) makes any false statement or misrepresentation; or
- (b) wilfully furnishes false or misleading information; or
- (c) issues a certificate of roadworthiness in respect of a vehicle without first examining and testing that vehicle in accordance with this Regulation,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

## **25D. INSPECTION.**

(1) The Superintendent may, at all reasonable times—

- (a) enter and inspect an authorized inspection station and the equipment and facilities in the station; or

- (b) inspect and take copies from or extracts of any records maintained in accordance with Section 25C(1)(e); or
  - (c) require any person to give any information or to produce any document in his possession or under his control relating to the conducting of examinations and tests for roadworthiness.
- (2) A person who—
- (a) hinders or obstructs an Inspector of Motor Traffic in the exercise or performance of his powers or functions under this Regulation; or
  - (b) refuses or fails to comply with a requirement under Subsection (1), or knowingly gives false or misleading information in answer to such a requirement,

is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

Default penalty: A fine not exceeding K20.00.

## **25E. REVOCATION OF DECLARATION.**

(1) The Superintendent may, after 14 days written notice to the occupier of premises declared to be an authorized inspection station under Section 25A, by notice in the National Gazette, revoke the declaration under that section.

(2) Any person aggrieved by a revocation of a declaration under Subsection (1) may appeal to the Minister responsible for transport matters whose decision is final.

## **25F. UNAUTHORIZED OPERATION OF INSPECTION STATION, ETC.**

A person who—

- (a) not being a person authorized by the Superintendent so to do—
  - (i) operates an inspection station; or
  - (ii) issues a certificate of roadworthiness or a safety sticker; or
- (b) being the owner or operator of an authorized inspection station issues a certificate of roadworthiness or a safety sticker in respect of a motor vehicle which does not comply with the requirements of Parts VIII, IX and X of this Regulation,

is guilty of an offence.

Penalty: A fine not exceeding K500.00.

## **PART IV. – PERMITS TO DRIVE UNREGISTERED VEHICLES.**

### **26. PERMITS UNDER ACT, SECTION 11.**

(1) An application for a permit under Section 11 of the Act shall be made to the Superintendent in Form 11.

(2) A permit under Section 11 of the Act shall be in Form 12.

(3) A permit under Section 11 of the Act does not authorize the driving of the vehicle the subject of the permit within a town except for the purpose of—

- (a) removal to a workshop for repairs; or
- (b) return from a workshop where repairs were carried out; or
- (c) delivery on acquisition or on sale or disposal.

(4) The fee for a permit under Section 11 of the Act is as prescribed by Schedule 10.

## **PART V. – PUBLIC MOTOR VEHICLES.**

### ***Division 1.***

#### ***General.***

#### ***Subdivision A. – Preliminary.***

### **27. INTERPRETATION OF DIVISIONS 1 AND 2.**

In Divisions 1 and 2, unless the contrary intention appears—

**“crew member”** means a person employed to assist the driver of a public motor vehicle;

**“crew member’s permit”** means a permit issued under Section 33CC and includes a renewal of that permit;

**“passenger”** means—

- (a) any person of the age of eight years or older; and
- (b) any two children over the age of four years but below the age of eight years, who together shall be counted as a single passenger for the purposes of Divisions 1 and 2;

**“permit”** means a permit issued under Section 33B and includes a renewal of that permit;

**“public motor vehicle licence”** means a licence issued under Section 29 and includes a renewal of that licence;

**“special registration label”** means a special registration label issued under Section 31(1)(b).

#### ***Subdivision B. – Licensing of Public Motor Vehicles.***

### **28. APPLICATION FOR PUBLIC MOTOR VEHICLE LICENCE.**

(1) The owner or operator of a vehicle may apply to the Superintendent for a licence, or a renewal of a licence, to operate that vehicle as a public motor vehicle.

(2) An application under Subsection (1) shall be in Form 13 and shall be accompanied—

- (a) by a current certificate of registration in respect of the vehicle; and
- (b) by a certificate of roadworthiness issued within seven days before the making of the application; and
- (c) [*Repealed.*]
- (d) by the prescribed fee as specified in Schedule 10, which is in addition to any prescribed fee for the registration of the vehicle.

## **29. ISSUE OF PUBLIC MOTOR VEHICLE LICENCE.**

(1) Subject to this Division and to any directions given by the Board, the Superintendent may issue to a person making application under Section 28 a public motor vehicle licence in Form 14 in respect of the vehicle the subject of the application on being satisfied—

- (a) that the vehicle is so constructed as to comply with the requirements of Section 30 and Parts VIII, IX and X; and
- (b) that it is roadworthy; and
- (c) that it is currently registered under this Regulation; and
- (d) that the applicant is a fit and proper person to operate a public motor vehicle; and
- (e) [*Repealed.*]

and the licence may be issued subject to such conditions as to the area in which the vehicle may be operated, the routes over which it may be operated, the places where the vehicle may pick up and set down passengers and (having regard to Section 30 and Parts VIII, IX and X) the number of passengers that may be carried, as the Superintendent thinks fit and specifies in the licence.

(2) The Superintendent may, from time to time, renew the licence for a period at any one time not exceeding six months.

(3) Subject to Sections 33 and 33O, a public motor vehicle licence shall remain in force for a period of six months from the date of issue or renewal.

## **30. CONSTRUCTION OF PUBLIC MOTOR VEHICLES.**

(1) In this section, unless the contrary intention appears—

**“approved”** means approved by the Board;

**“stock vehicle”** means a motor vehicle, manufactured in a country other than Papua New Guinea, which at the time of manufacture was

designed to carry more than eight persons including the driver.

(2) A person shall, before he starts to construct a public motor vehicle, other than a stock vehicle—

- (a) submit to the Board for approval—
  - (i) plans and specifications of the design, fittings, equipment, tyre size and ratings of the vehicle; and
  - (ii) an estimate of the weight of the completed vehicle; and
- (b) pay the fee specified in Schedule 11.4.

(3) A public motor vehicle registered after 1 January 1987 shall be equipped with an approved fire extinguisher that shall be—

- (a) maintained in good working order; and
- (b) mounted in a position that is readily visible; and
- (c) readily accessible to the driver and the passengers; and
- (d) examined and tested at least once each year by an approved person.

(4) A taxicab shall—

- (a) in respect of each passenger, provide a seat the width of which shall, when measured 15cm forward of the back squab at points 15cm and 60cm above the seat cushion, be at least 40cm; and
- (b) where the seat used by the driver is intended to accommodate two passengers on the driver's left, in respect of that seat provide a seat the width of which shall when measured in accordance with Paragraph (a), be at least 130cm; and
- (c) have conspicuously displayed within the vehicle a notice showing the authorized fare schedule together with the name of the authority with which complaints may be lodged.

(5) An owner of a taxicab, other than an owner exempted by the Board, shall—

- (a) cause that taxicab to be equipped with an approved taximeter that correctly measures the current scale of authorized fares; and
- (b) cause the taximeter referred to in Paragraph (a) to be so positioned that—
  - (i) it does not interfere unduly with the comfort of a passenger; and
  - (ii) a passenger is, at all times, able to read it; and
- (c) cause the taximeter—
  - (i) prior to licensing or relicensing the taxicab; and
  - (ii) on payment of the fee specified in Schedule 11.7, to be tested for

accuracy, and sealed, by an approved person; and

- (d) if for any reason the seal referred to in Paragraph (c) is broken, before the taxicab is again used for hire, cause the taximeter to be retested and resealed in accordance with that paragraph.

(6) The Board may, on application, exempt the owner of a taxicab from all or any of the provisions of Subsection (5).

(7) A person who operates a public motor vehicle that does not comply with the requirements of this section is guilty of an offence.

Penalty: A fine not exceeding K500.00.

### **31. ISSUE OF NUMBER-PLATES, ETC.**

(1) The Superintendent shall at the time of issuing the public motor vehicle licence, issue to the licensee—

- (a) the prescribed number-plates; and
- (b) a special registration label in Form 15.

(2) The person to whom a public motor vehicle licence is issued shall, as soon as practicable after receiving them, securely affix to the public motor vehicle and at all times while the public motor vehicle licence is current keep so affixed—

- (a) in respect of the prescribed number-plate—one at the front and one at the rear of the vehicle so that each is clearly visible both during the day and night; and
- (b) in respect of the special registration—that the writing is clearly visible from outside the vehicle.

(3) Where the number-plates issued under Subsection (1) are not promptly affixed to the public motor vehicle in respect of which they are issued, the person to whom they are issued is guilty of an offence.

Penalty: A fine of not less than K20.00 and not exceeding K100.00.

(4) The person to whom a public motor vehicle licence is issued shall cause to be painted on the driver's side door in letters not less than 6 cm high—

- (a) the name and address of the holder of the public motor vehicle licence; and
- (b) the area or route of operation specified on the public motor vehicle licence; and
- (c) the number of passengers the vehicle is licensed to carry,

and shall at all times during the currency of the licence keep the letters conspicuous, legible and undefaced.

### **32. CANCELLATION OF PUBLIC MOTOR VEHICLE LICENCE.**

A public motor vehicle licence shall be deemed to be cancelled if–

- (a) the registration certificate in respect of the vehicle is cancelled or suspended under this Regulation; or
- (b) the vehicle is found to be unroadworthy under this Regulation; or
- (c) the licensee surrenders the licence to the Superintendent; or
- (d) the licensee dies.

***Subdivision C. – Driving Permits and Crew Members’ Permits.***

**33. ONLY PERMIT HOLDER TO DRIVE PUBLIC MOTOR VEHICLE.**

A person must not drive a public motor vehicle, and a holder of a public motor vehicle licence must not permit a person to drive a public motor vehicle in respect of which he is the licensee, unless that person is the holder of a current permit issued under this Division.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

**33A. APPLICATION FOR PERMIT TO DRIVE PUBLIC MOTOR VEHICLE.**

A person may apply to the Superintendent in Form 15A for a permit to drive a public motor vehicle, and the application shall be accompanied by–

- (a) the applicant’s current driving licence; and
- (b) the prescribed fee.

**33B. ISSUE OF PERMIT.**

(1) The Superintendent may issue to an applicant under Section 33A a permit to drive a public motor vehicle, licensed to carry the number of passengers indicated in the permit on being satisfied–

- (a) that the applicant holds a current Class 2, Class 3, Class 4 or Class 6 driving licence (other than a provisional licence); and
- (b) the applicant is a fit and proper person to drive a public motor vehicle.

(2) A permit under this section shall–

- (a) be in Form 15B; and
- (b) bear a photograph of the person to whom it is issued; and
- (c) not be transferable; and
- (d) unless sooner suspended or cancelled under this Regulation–be in force for a period of three years from and including the date of issue.

(3) The Superintendent may, on the application of the permittee and payment of the prescribed fee, renew the permit for a period not exceeding three years.



### **33C. CANCELLATION OF PERMIT.**

(1) The Superintendent may, at any time, on the recommendation of the Board, cancel a permit if he or it is of the opinion that the holder of the permit is, by reason of his behaviour whilst driving a public motor vehicle, his driving record or his state of health, no longer a fit and proper person to hold such a permit.

(2) A permit shall be deemed to be cancelled—

- (a) if the person to whom it is issued ceases to hold a current Class 2, Class 3, Class 4 or Class 6 driving licence (whether the licence has expired, is cancelled or is suspended); or
- (b) if the public motor vehicle to which the permit relates ceases to be a licensed public motor vehicle under this Division or, where the permit relates to more than one such vehicle, if each of them ceases to be so licensed; or
- (c) if the permit is suspended under Section 33O—for the period of that suspension.

(3) A person whose permit is cancelled or deemed to be cancelled under this section must, within seven days of being notified of the cancellation or within seven days of the occurrence of the event by which the permit is deemed to be cancelled, as the case may be, return the permit to the Superintendent.

Penalty: A fine of not less than K20.00 and not exceeding K100.00.

### **33CA. ONLY HOLDER OF CREW MEMBER'S PERMIT TO ACT AS CREW MEMBER ON PUBLIC MOTOR VEHICLE.**

A person must not act as a crew member on a public motor vehicle, and the holder of a public motor vehicle licence must not permit a person to act as a crew member on the public motor vehicle of which he is the licensee, unless that person is the holder of a current crew member's permit issued under this Division.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

### **33CB. APPLICATION FOR CREW MEMBER'S PERMIT.**

A person may apply to the Superintendent in Form 15D for a crew member's permit, and the application shall be accompanied by the prescribed fee.

### **33CC. ISSUE OF CREW MEMBER'S PERMIT.**

(1) The Superintendent may issue to an applicant under Section 33CB a crew member's permit on being satisfied that the applicant is a fit and proper person to act as a crew member.

(2) A crew member's permit shall—

- (a) be in Form 15E; and

- (b) bear a photograph of the person to whom it was issued; and
- (c) not be transferable; and
- (d) unless sooner cancelled under this Regulation be in force for a period of three years from and including the date of issue.

(3) The Superintendent may, on the application of the permittee and on payment of the prescribed fee, renew the permit for a period not exceeding three years.

### **33CD. CANCELLATION OF CREW MEMBER'S PERMIT.**

(1) The Superintendent may, at any time, or on the recommendation of the Board, cancel a crew member's permit if he or it is of the opinion that the holder of the crew member's permit is, by reason of his behaviour while acting as a crew member or his state of health, no longer a fit and proper person to hold such a permit.

(2) A person whose crew member's permit is cancelled under this section shall, within seven days of being notified of the cancellation, return the permit to the Superintendent.

Penalty: A fine of not less than K20.00 and not exceeding K100.00.

### ***Subdivision D. – Dealing with Public Motor Vehicles.***

### **33D. APPLICATION OF SUBDIVISION D.**

The provisions of this Subdivision shall apply in addition to, and shall not be construed as derogating from, any other provision of this Regulation relating to the sale, transfer or disposal of a registered vehicle.

### **33E. SALE OR DISPOSAL OF PUBLIC MOTOR VEHICLE.**

(1) Subject to the provisions of this section, before the sale, transfer or other disposal of a public motor vehicle takes place, the person who holds the public motor vehicle licence in respect of that vehicle shall remove its number-plates and return them, within 24 hours of their removal, together with the public motor vehicle licence, to the Superintendent.

(2) A person who enters into an agreement (whether or not in writing) to sell, exchange or transfer a public motor vehicle before the number-plates and licence have been dealt with in accordance with Subsection (1), is guilty of an offence.

(3) Where a person sells, transfers or otherwise disposes of a public motor vehicle, he must, before parting with possession of the vehicle, present it to the Superintendent, or an Inspector of Motor Traffic, who shall ensure that the special registration label issued in respect of that vehicle is removed or defaced.

(4) Where a licensed public motor vehicle is repossessed under the *Hire-purchase Act 1966*, within seven days of the repossession—

- (a) the person repossessing the vehicle must—
  - (i) remove the number-plates and deposit them with the Superintendent; and
  - (ii) present the vehicle to the Superintendent or an Inspector of Motor Traffic who shall ensure that the special registration label issued in respect of that vehicle is removed or defaced; and
- (b) the holder of the public motor vehicle licence in respect of that vehicle must notify the Superintendent in writing that the vehicle has been repossessed.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

(5) Before the sale, transfer or other disposal of a public motor vehicle, the person to whom the public motor vehicle is to be sold, transferred or otherwise disposed of may apply, in writing, to the Superintendent to have that public motor vehicle licence transferred to him.

(6) On receipt of an application under Subsection (5), the Superintendent may make such enquires as he considers necessary to satisfy himself whether or not the applicant is a fit and proper person to operate a public motor vehicle.

(7) If the Superintendent is satisfied that the applicant is a fit and proper person to operate a public motor vehicle, the Superintendent shall, as soon as practicable after becoming so satisfied, in writing, inform—

- (a) the applicant; and
- (b) the person who holds the public motor vehicle licence in respect of the public motor vehicle the subject of the sale, transfer or other disposal,

that he is so satisfied.

(8) On receipt of the information specified in Section 7(b), the person who holds the public motor vehicle licence in respect of the public motor vehicle the subject of the application under Subsection (5) may enter into an agreement with the applicant for the sale, transfer or other disposal of the public motor vehicle and the provisions of Subsections (1) and (2) shall not apply.

(9) On—

- (a) the sale, transfer or other disposal of the public motor vehicle to the applicant; and
- (b) payment, by the applicant, of the fee specified in Schedule 10,

the Superintendent shall, subject to this Division and to any directions given by the Board, issue to the applicant a certificate of transfer of the public motor vehicle licence in Form 14A.

(10) A certificate of transfer issued under Subsection (9) shall be deemed to be the public motor vehicle licence of the public motor vehicle the subject of the

transfer.

***Division 2.***  
***Offences and Penalties.***

**33F. PUBLIC MOTOR VEHICLE LICENCE TO BE PRODUCED.**

The holder of a public motor vehicle licence who refuses or fails to produce the licence to a member of the Police Force or an Inspector of Motor Traffic within 24 hours of being required by the member or Inspector to do so, is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

**33G. CARRYING OF PERMIT OR CREW MEMBER'S PERMIT.**

(1) The holder of a permit issued under Section 33B shall, at all times while he is driving a public motor vehicle, carry the permit with him and produce it to a member of the Police Force or an Inspector on being required by that member or inspector to do so.

Penalty: A fine of not less than K20.00 and not exceeding K200.00.

(2) The holder of a crew member's permit issued under Section 33CC shall, at all times while he is acting as a crew member on a public motor vehicle, carry the crew member's permit with him and produce it to a member of the Police Force or an Inspector on being required by that member or Inspector to do so.

Penalty: A fine of not less than K20.00 and not exceeding K200.00.

**33H. [REPEALED.]**

**33I. PERMITTED NUMBER OF PASSENGERS.**

Where a public motor vehicle carries a greater number of passengers than the number specified in the licence issued in respect of that vehicle as the maximum number permitted to be carried—

- (a) the driver of that vehicle; and
- (b) the person who holds the public motor vehicle licence in respect of that vehicle,

are both guilty of an offence.

Penalty: A fine of not less than K20.00 and not exceeding K100.00.

**33J. PASSENGERS NOT TO STAND.**

(1) Subject to Subsection (3), a person who drives or permits to be driven a public motor vehicle in a public street whilst any person is standing in that public motor vehicle is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(2) Subject to Subsection (3), a person who stands in a public motor vehicle whilst it is being driven in a public street is guilty of an offence.

Penalty: A fine not exceeding K50.00.

(3) The Board may, where it thinks fit in respect of certain types of vehicles, by written notice permit persons to stand in a public motor vehicle.

### **33K. CARRIAGE OF GOODS.**

A person who drives or permits to be driven in a public street, without the prior written permission of the Board, a public motor vehicle with passengers' effects or any other goods placed on the top of the cabin or canopy of that vehicle is guilty of an offence.

Penalty: A fine not exceeding K100.00.

### **33L. USE OF UNLICENSED VEHICLE.**

(1) Where—

(a) the owner or operator of a vehicle that is not licensed as a public motor vehicle permits—

(i) the number-plates that were issued; or

(ii) any special registration label that was issued,

in respect of a public motor vehicle, to be affixed to his vehicle; or

(b) a person drives a vehicle that is not licensed as a public motor vehicle having on it a number-plate or a special registration label, that was issued in respect of a public motor vehicle,

he is guilty of an offence.

Penalty: A fine not less than K50.00 and not exceeding K100.00.

(2) A court that convicts a person referred to in Subsection (1)(b) of an offence under that subsection may, in addition to imposing a penalty provided for in that subsection, suspend for a period of up to six months any licence to drive a vehicle issued to that person under this Regulation.

### **33M. TRAILERS NOT TO BE TOWED.**

Except with the written approval of the Board, a person who drives or permits to be driven a public motor vehicle while that vehicle is towing a trailer, is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

### **33N. PUBLIC MOTOR VEHICLE TO STOP AT CERTAIN PLACES.**

(1) The driver of a public motor vehicle who operates the public motor vehicle for the purpose of picking up or setting down passengers on any route other than the route for which that public motor vehicle is licensed to operate under Section 29, is guilty of an offence.

(2) The driver of a public motor vehicle who stops the vehicle for the purpose of picking up or setting down passengers except at places where a stopping place sign in Form 15C is erected on the route on which the public motor vehicle is licensed to operate under Section 29, is guilty of an offence.

Penalty: A fine not less than K50.00 and not exceeding K100.00.

### **33O. REPEATED OFFENCES BY LICENCE HOLDER.**

Where the holder of a public motor vehicle licence is convicted of a third or subsequent offence under this Division (whether all or any of those offences relate to the public motor vehicle in respect of which he is currently licensed or any other public motor vehicle) the Superintendent may, on the recommendation of the Board—

- (a) cancel the licence; or
- (b) suspend the registration of the public motor vehicle for three months.

### **33P. REPEATED OFFENCES BY PERMIT HOLDER.**

Where the holder of a permit is convicted of a third or subsequent offence under this Division (whether all or any of those offences related to the public motor vehicle in respect of which the permit is issued or any other public motor vehicle) the Superintendent may, on the recommendation of the Board, suspend that permit, or any other permit issued to him under Division 1, for a period not exceeding two months and while that permit is so suspended he shall not be entitled to apply for a permit in respect of any other public motor vehicle.

## ***Division 3.***

### ***Motor Hire Cars.***

#### ***Subdivision A. – Preliminary.***

### **34. INTERPRETATION OF DIVISION 3.**

In this Division unless the contrary intention appears—

“**certificate of registration**” means a certificate of registration—

- (a) as a taxicab, granted under Section 36; or
- (b) as a private hire car, granted under Section 37.

### **35. OPERATION OF HIRE CARS.**

A person must not—

- (a) operate or drive on a public street; or
- (b) cause or permit to be operated or driven on a public street,

a motor vehicle as a private hire car or a taxicab unless a certificate of registration or a licence under Section 39 has been granted and is in force in respect of the vehicle.

Penalty: A fine not exceeding K500.00.

### ***Subdivision B. – Registration, etc.***

#### **36. REGISTRATION OF TAXICABS.**

(1) Subject to Subsection (2) and Sections 39 and 41, the Superintendent may, at the direction of the Board, grant a certificate of registration as a taxicab in respect of a suitable and appropriate vehicle with a seating capacity of not less than five persons exclusive of the driver, and may renew the certificate from time to time.

(2) Notwithstanding Subsection(1) and subject to Sections 39 and 41, the Superintendent may, at the direction of the Board, where for any reason he considers it desirable, grant a certificate as a taxicab in respect of a suitable and appropriate vehicle with a seating capacity of less than five persons exclusive of the driver, and may renew that certificate from time to time.

(3) A certificate of registration granted in respect of a taxicab, and a renewal of such a certificate—

- (a) shall be in Form 9A of Schedule 1; and
- (b) shall specify the number of passengers that the vehicle may carry; and
- (c) shall be subject to such conditions, endorsed on the certificate, as the Land Transport Board considers necessary.

(4) The fee for a certificate of registration as a taxicab is as prescribed by Schedule 10.

(5) The owner and the driver of a taxicab that carries a number of passengers greater than the number specified in the certificate of registration as the number of passengers that the vehicle may carry are each guilty of an offence.

(6) The owner of a taxicab must cause to be painted on it, in legible letters in a conspicuous place, the number of persons that the vehicle is licensed to carry, in the following form—

“LICENSED TO CARRY . . . PERSONS.”

Penalty: A fine not exceeding K500.00.

#### **37. REGISTRATION OF PRIVATE HIRE CARS.**

(1) The Superintendent, a Provincial Government or an Area Authority, may—

- (a) at the direction of the Board, grant a certificate of registration as a private hire car in respect of a suitable and appropriate vehicle with a seating capacity of not less than five persons exclusive of the driver; and
  - (b) unless the Board directs otherwise, renew the certificate from time to time.
- (2) Notwithstanding Subsection (1), but subject to Section 41, the Board may—
  - (a) where for any special reason it thinks it desirable, direct the Superintendent, that Provincial Government or Area Authority, to grant a certificate of registration as a private hire car in respect of a suitable and appropriate vehicle with a seating capacity of less than five persons exclusive of the driver; and
  - (b) direct the Superintendent to renew the certificate from time to time.
- (3) A certificate of registration granted in respect of a private hire car, and a renewal of such a certificate—
  - (a) shall be in Form 9A of Schedule 1;
  - (b) shall specify the number of passengers that the vehicle may carry.
- (4) The fee for a certificate of registration as a private hire car is as prescribed by Schedule 10.
- (5) The owner and the driver of a private hire car that carries a number of passengers greater than the number specified in the certificate of registration as the number of passengers that the vehicle may carry are each guilty of an offence.

Penalty: A fine not exceeding K500.00.

### **38. TRANSFERABILITY OF CERTIFICATES OF REGISTRATION.**

A certificate of registration is not transferable except with the consent of the Board.

### **39. TEMPORARY LICENCES.**

(1) The Superintendent, a Provincial Government or an Area Authority, may grant a temporary licence for the use of a car for the carriage of passengers for hire for such period not exceeding four days, for such purposes and subject to such conditions as the Superintendent, that Provincial Government or Area Authority thinks proper.

(2) At the direction of the Board, the Superintendent, a Provincial Government or an Area Authority may grant a temporary licence for the use of a car for the carriage of passengers for hire for such period, for such purposes and subject to such conditions as are approved by the Board.

(3) A licence under this section shall be in Form 16.



(4) The fee for a temporary licence is as prescribed by Schedule 10.

(5) A person who—

(a) uses a motor vehicle in respect of which a licence is granted under this section; or

(b) causes any such vehicle to be used,

otherwise than in accordance with the licence is guilty of an offence.

Penalty: A fine not exceeding K500.00.

#### **40. QUALIFICATIONS FOR CERTIFICATES OF REGISTRATION.**

A certificate of registration under this Division shall not be granted or transferred to a person who fails—

(a) to produce evidence that he is—

(i) engaged or about to be engaged—

(A) solely in the business of operating private hire cars or taxicabs, as the case may be; or

(B) in that business and in some other business jointly with it; and

(ii) a person of good character; and

(iii) a fit and proper person to hold a certificate of registration; and

(b) [*Repealed.*]

#### **41. LIMITATION ON NUMBER OF CERTIFICATES OF REGISTRATION.**

(1) The Board may determine, in respect of the whole country or a part of the country, the number of certificates of registration that may be granted or held at any one time.

(2) Any number of the residents of a town may make a written request, on the ground of public need, that a determination in respect of the town be made under Subsection (1) to enable the grant of an additional number, to be specified in the request, of certificates of registration.

(3) Where—

(a) the Board determines that an additional certificate of registration may be granted; or

(b) an existing certificate of registration becomes available for grant by reason of non-renewal or otherwise,

the Board shall, by notice in the National Gazette, invite applications for the grant of the available certificate.

(4) The Superintendent, a Provincial Government or an Area Authority, may object to an application on the ground that the applicant is not—

- (a) engaged, or about to be engaged—
  - (i) solely in the business of operating private hire cars or taxicabs, as the case may be; or
  - (ii) in that business and in some other business jointly with it; or
- (b) a person of good character; or
- (c) a fit and proper person to hold a certificate of registration.

(5) Unless the Board otherwise determines, the names of the remaining applicants shall then be submitted to a ballot, in such manner as the Board directs, to decide the persons to whom the available certificates of registration are to be granted.

(6) Where the Board determines that a ballot under Subsection (5) shall not be used, the Board may determine the persons (if any) to whom the available certificates of registration are to be granted.

#### **42. CANCELLATION OF CERTIFICATES OF REGISTRATION.**

(1) Where a certificate of registration is granted to a person who satisfies the Board that he is about to be engaged solely—

- (a) in the business of operating private hire cars or taxicabs, as the case may be; or
- (b) in that business and in some other business jointly with it,

and the person does not engage in and carry on that business, solely or jointly with some other business, within a reasonable time after the grant of the certificate, the Superintendent, a Provincial Government or an Area Authority, shall, at the direction of the Board, cancel the certificate.

(2) A person aggrieved by a decision of the Board under this section may appeal to the Minister, whose decision is final.

#### **43. NUMBER-PLATES.**

(1) In this section, “prescribed number-plate” means a number-plate referred to in Section 19(1).

(2) The number-plates in relation to motor omnibuses, taxicabs and private hire cars shall—

- (a) bear the appropriate registration letters and figures; and
- (b) be of the colours,

specified in Section 19A.

***Subdivision C. – Drivers of Private Hire Cars and Taxicabs.***

**44. ENDORSEMENT OF LICENCES.**

A person must not drive a private hire car or a taxicab unless he holds a driving licence that bears an endorsement by the Superintendent to the effect that he is licensed to drive a private hire car or a taxicab, as the case may be.

Penalty: A fine not exceeding K500.00.

**45. QUALIFICATIONS FOR ENDORSEMENT.**

(1) An applicant for a licence to drive a private hire car shall produce evidence to the satisfaction of the Board that he is a fit and proper person to be the holder of the licence.

(2) An applicant for a licence to drive a taxicab shall—

(a) produce evidence to the satisfaction of the Board that he is—

(i) a person of good character; and

(ii) a fit and proper person to hold the licence; and

(b) submit to the Board a certificate of character signed by two persons of good repute approved by the Board.

(3) Before the grant of a licence to drive a private hire car or taxicab—

(a) a certificate of fitness and a certificate of competency shall be given by an Inspector of Motor Traffic; and

(b) the applicant shall—

(i) answer, in writing, any questions required by the Inspector to be answered; and

(ii) sign his name to the answers in the presence of the Inspector.

**46. UNAUTHORIZED DRIVERS.**

The driver of a taxicab who permits an unlicensed person to act on a public street as the driver of the vehicle is guilty of an offence.

Penalty: A fine not exceeding K500.00.

**47. HIRINGS.**

(1) The driver of a taxicab that is on a public stand must, unless engaged for hire, accept a hiring for the conveyance of—

(a) any person other than a person who is—

(i) suffering from an infectious or contagious disease or illness; or

(ii) drunk, dirty or attired so as to be likely to soil or damage the

vehicle; or

- (iii) noisy, violent, misbehaving or disturbing the public peace; or
- (b) any person, when requested to do so by a member of the Police Force acting in the execution of his duty.

(2) A member of the Police Force who hires a taxicab under Subsection (1) is liable, in respect of the hiring, to pay to the driver, in addition to the legal fare, reasonable compensation for any damage or loss of time consequent on the hiring.

(3) The driver of a taxicab must, when so requested by the hirer, convey in the vehicle any number of passengers not exceeding the number stated in the certificate of registration issued in respect of the vehicle.

(4) A child apparently under five years of age shall not be taken into account in calculating, for the purposes of Subsection (3), the number of passengers.

(5) After the termination of a hiring, the hirer of a taxicab must, on demand by the driver, pay—

- (a) the fare for the distance over which the passenger has travelled; or
- (b) such lesser amount as is agreed on.

Penalty: A fine not exceeding K500.00.

#### **48. CONDUCT OF DRIVERS.**

(1) The driver of a taxicab who—

- (a) without first obtaining the consent of the passengers, smokes or chews betel-nut while the vehicle is conveying passengers; or
- (b) carries or has in or on the vehicle intoxicating liquor, other than intoxicating liquor the property of a passenger; or
- (c) importunes a person to hire the vehicle, to the annoyance of that person or of any other person; or
- (d) leaves his vehicle to tout for passengers or for a hiring; or
- (e) endeavours to attract notice by whistling, shouting or calling; or
- (f) permits the vehicle to loiter; or
- (g) wrongfully or forcibly prevents or attempts to prevent the driver of any other public motor vehicle from obtaining a hiring; or
- (h) whilst hired, permits a person to ride or be carried in or on the vehicle without the consent of the hirer; or
- (i) sleeps, lounges or eats his meals inside the vehicle; or
- (j) conveys on the roof of the vehicle luggage or goods that is or are not safely and securely fastened to the vehicle,

is guilty of an offence.

(2) The driver of a taxicab must, while plying for hire—

- (a) be clean and tidy; and
- (b) wear clean and respectable clothes; and
- (c) conduct himself in an orderly manner, and with civility and propriety towards every passenger or intending passenger.

Penalty: A fine not exceeding K500.00.

#### **49. CARRIAGE OF OFFENSIVE SUBSTANCES.**

The driver of a taxicab must not, on a public street, permit a person to place or carry in the vehicle a substance of an offensive character.

Penalty: A fine not exceeding K500.00.

#### **50. DRIVING FOR LONG PERIODS.**

A holder of a certificate of registration who requires or permits a driver to drive a taxicab or private hire car—

- (a) for more than eight hours (including a meal break of not less than 30 minutes) in a day; or
- (b) on more than six days out of any period of seven days,

is guilty of an offence.

Penalty: A fine not exceeding K500.00.

### ***Division 4.***

#### ***Motor Omnibuses.***

##### ***Subdivision A. – Preliminary.***

#### **51. INTERPRETATION OF DIVISION 4.**

In this Division, unless the contrary intention appears—

**“certificate of registration”** means a certificate of registration granted under Section 54;

**“crew member”** means a person employed to act as a crew member on a public motor vehicle;

**“licence to drive a motor omnibus”** means a driving licence that bears an endorsement referred to in Section 63(1).

#### **52. APPLICATION OF DIVISION 4.**

This Division applies in areas declared by the Head of State, acting on advice,

by notice in the National Gazette, to be areas to which this Division applies.

### **53. OPERATION OF MOTOR OMNIBUSES.**

A person must not—

- (a) operate or drive on a public street; or
- (b) cause or permit to be operated or driven on a public street,

a motor vehicle as a motor omnibus—

- (c) unless a certificate of registration or a licence under Section 56 is in force in respect of the vehicle; or
- (d) otherwise than in accordance with the certificate or licence and the conditions (if any) endorsed on the certificate or licence.

Penalty: A fine not exceeding K500.00.

#### ***Subdivision B. – Registration, etc.***

### **54. REGISTRATION OF MOTOR OMNIBUSES.**

(1) Subject to Section 58, the Superintendent, a Provincial Government or a Local-level Government Special Purposes Authority may—

- (a) at the direction of the Board, grant a certificate of registration as a motor omnibus in respect of a motor vehicle with a seating capacity of not less than seven persons exclusive of the driver; and
- (b) unless the Board otherwise directs, renew the certificate from time to time.

(2) Notwithstanding Subsection (1) but subject to Section 58, the Board may—

- (a) where for a special reason it thinks it desirable, direct the Superintendent, a Provincial Government or a Local-level Government Special Purposes Authority to grant a certificate of registration as a motor omnibus in respect of a motor vehicle with a seating capacity of less than seven persons, exclusive of the driver; and
- (b) direct the Superintendent to renew the certificate from time to time.

(3) A certificate of registration granted in respect of a motor omnibus, and a renewal of any such certificate—

- (a) shall be in Form 9A of Schedule 1; and
- (b) shall specify the number of passengers that the vehicle may carry.

(4) The fee for a certificate of registration as a motor omnibus is as prescribed by Schedule 10, and, in addition, the person conducting a motor omnibus service shall pay the fee prescribed by Schedule 10 in respect of the service.

(5) The owner and the driver of a motor omnibus that carries a number of passengers greater than the number specified in the certificate of registration as the number of passengers that the vehicle may carry are each guilty of an offence.

(6) The owner of a motor omnibus must cause to be painted on it, in legible letters in a conspicuous place, the number of persons that the vehicle is licensed to carry, in the following form—

“LICENSED TO CARRY . . . PERSONS.”

Penalty: A fine not exceeding K500.00.

## **55. TRANSFERABILITY OF CERTIFICATES OF REGISTRATION.**

A certificate of registration is not transferable except with the consent of the Board.

## **56. TEMPORARY LICENCES.**

(1) At the direction of the Board, the Superintendent, a Provincial Government or a Local-level Government Special Purposes Authority may grant a temporary licence for the use of a motor vehicle as a motor omnibus during such period, for such purposes and subject to such conditions as he or it thinks proper.

(2) A licence under Subsection (1) shall be in Form 17.

(3) The fee for a licence under Subsection (1) is as prescribed by Schedule 10.

## **57. QUALIFICATIONS FOR CERTIFICATES OF REGISTRATION.**

A certificate of registration shall not be granted or transferred to a person who fails—

(a) to produce evidence that he is—

(i) a person of good character; and

(ii) a fit and proper person to hold a certificate of registration; and

(b) [*Repealed.*]

## **58. GRANT OF CERTIFICATES OF REGISTRATION.**

(1) After making such inquiries as it thinks necessary, the Board may determine, in respect of the whole of the country or a part of the country, the number of certificates of registration that may be granted or held at any one time.

(2) Any number of the residents of a town may make a written request to the Board, on the ground of public need, that a determination in respect of the town be made under Subsection (1) to enable the grant of an additional number, to be specified in the request, of certificates of registration.

(3) Where—

- (a) the Board determines that an additional certificate of registration may be granted; or
- (b) an existing certificate of registration becomes available for grant by reason of non-renewal or otherwise,

the Board shall, by notice in the National Gazette, invite applications for the grant of the available certificate.

(4) In a notice under Subsection (3), the Board may—

- (a) give brief particulars of any conditions to which the certificate of registration, when granted, may be made subject; and
- (b) require an applicant to furnish such information relating to the service proposed to be provided by him as to it seems proper.

(5) As soon as practicable after the expiration of the time limited in a notice under Subsection (3) for the lodgement of applications, the Board shall, by notice in the National Gazette, publish—

- (a) the names of the applicants for the certificate of registration; and
- (b) the number of certificates of registration applied for by each applicant; and
- (c) the time within which objections to an application may be lodged.

(6) An application for the grant of a certificate of registration may be objected to, in writing, by any person, on grounds to be stated in the objection.

(7) After making such inquiries as it thinks proper, the Board may—

- (a) uphold an objection made under Subsection (6) and reject the application to which it relates; or
- (b) reject the objection.

(8) After the objections (if any) have been dealt with under Subsection (7), the Board shall, subject to this Regulation, determine the person to whom the available certificate of registration is to be granted.

(9) In making a determination under Subsection (8), the Board shall consider—

- (a) the respective advantages of the services proposed to be provided; and
- (b) the adequacy or otherwise of, and the effect of a further service on, any existing service; and
- (c) the level of fares proposed to be charged; and
- (d) the area in which the proposed service is to operate; and
- (e) the type of vehicle that is to provide the proposed service; and
- (f) the suitability of the respective applicants; and



- (g) the convenience of the public; and
- (h) such other matters as the Board thinks necessary or appropriate.

(10) In a determination under Subsection (8), the Board may require that the grant of a certificate of registration be made subject to such conditions, to be endorsed on the certificate, relating to—

- (a) the time-table to be observed; or
- (b) the route to be served; or
- (c) the taking up and setting down of passengers; or
- (d) any other matter that appears to be necessary in the particular case,

as the Board determines.

(11) As soon as practicable after a determination has been made under Subsection (8), the Board shall send a copy of the determination, by post, to the Superintendent, or the Provincial Government or the Local-level Government Special Purposes Authority to which the application was made, and to each applicant whose application was considered under this section.

## **59. EFFECT OF CERTIFICATE OF REGISTRATION.**

A certificate of registration is valid only in respect of plying for hire in accordance with the conditions endorsed on it under Section 58(10).

## **60. ROUTES.**

(1) The Board shall allocate a route number to each route in respect of which a certificate of registration is in force.

(2) The owner of a registered motor omnibus must cause to be displayed on the front of the vehicle, in legible letters in a conspicuous place, the destination of the vehicle and the number allotted under Subsection (1) to the route on which it is plying.

Penalty: A fine not exceeding K500.00.

## **61. DISPLAY OF FARES, ROUTE, ETC.**

The owner of a registered motor omnibus must cause to be displayed in a conspicuous place inside the vehicle the route and time-table in respect of which the vehicle is registered, together with a table of the fares to be charged.

Penalty: A fine not exceeding K500.00.

## **62. CANCELLATION, ETC., OF REGISTRATION.**

Where the Board is satisfied, after due inquiry, that a person—

- (a) has been convicted of an offence against the Act or this Regulation in

respect of a vehicle the subject of a certificate of registration; or

- (b) has failed to ply in accordance with the conditions endorsed under this Regulation on a certificate of registration held by him,

the Board may require the Superintendent or the Provincial Government or Local-level Government Special Purposes Authority that granted the certificate of registration to cancel or suspend any certificate of registration held by the person, and the Superintendent or that Provincial Government or Local-level Government Special Purposes Authority shall cancel or suspend, as the case may be, the certificate accordingly.

### ***Subdivision C. – Drivers of Motor Omnibuses.***

#### **63. ENDORSEMENT OF LICENCES.**

(1) A person must not drive a motor omnibus unless he holds a driving licence that bears an endorsement by the Superintendent to the effect that he is licensed to drive a motor omnibus.

(2) An owner or operator of a motor omnibus must not permit a person to drive the vehicle on a public street unless the person holds a licence to drive a motor omnibus.

Penalty: A fine not exceeding K500.00.

#### **64. QUALIFICATIONS FOR ENDORSEMENT.**

(1) An applicant for a licence to drive a motor omnibus shall—

- (a) produce evidence to the satisfaction of the Superintendent that he is—

- (i) a person of good character; and
  - (ii) a fit and proper person to hold the licence; and

- (b) submit to the Superintendent a certificate of character signed by two persons of good repute approved by the Superintendent.

(2) Before the grant of a licence to drive a motor omnibus—

- (a) a certificate of fitness and a certificate of competency shall be given by an Inspector of Motor Traffic; and

- (b) the applicant shall—

- (i) answer, in writing, any questions required by the Inspector to be answered; and
  - (ii) sign his name to the answers in the presence of the Inspector.

#### **65. CANCELLATION OR SUSPENSION OF ENDORSEMENT.**

If the Superintendent is of the opinion that the holder of a licence to drive a

motor omnibus is unfit to drive a motor omnibus he may cancel or suspend, for such period as he thinks proper, any endorsement on the licence to the effect that the holder is licensed to drive a motor omnibus.

#### **66. UNAUTHORIZED DRIVERS.**

The driver of a motor omnibus who, on a public street, permits a person who is not the holder of a licence to drive a motor omnibus is guilty of an offence.

Penalty: A fine not exceeding K500.00.

#### **67. PASSENGERS.**

(1) Subject to this Regulation and the conditions of the certificate of registration, the driver or crew member of a motor omnibus must accept as a passenger—

- (a) any person other than a person who is—
  - (i) suffering from an infectious or contagious disease or illness; or
  - (ii) drunk, dirty or attired so as to be likely to soil or damage the vehicle; or
  - (iii) noisy, violent, misbehaving or disturbing the public peace; or
- (b) any person, when requested to do so by a member of the Police Force acting in the execution of his duty.

(2) A member of the Police Force who is accepted as a passenger in a motor omnibus under Subsection (1) is liable, in respect of the passage, to pay to the driver or crew member, in addition to the legal fare, reasonable compensation for any damage or loss of time consequent on the passage.

(3) The driver or crew member of a motor omnibus must issue to each passenger, at the time when he pays the fare, a ticket, in a form approved by the Superintendent, showing the fare paid and the journey to which it relates.

(4) A passenger in a motor omnibus must not refuse or fail to pay, on demand, the fare shown in the table displayed under Section 61 as the fare for the journey that he is undertaking or intends to undertake.

Penalty: A fine not exceeding K500.00.

#### **68. CONDUCT OF DRIVERS.**

(1) The driver or crew member of a motor omnibus who—

- (a) without first obtaining the consent of all the passengers, smokes or chews betel-nut while the vehicle is conveying passengers; or
- (b) carries or has in or on the vehicle intoxicating liquor, other than intoxicating liquor the property of a passenger; or

- (c) importunes a person to become a passenger in the vehicle, to the annoyance of that person or of any other person; or
- (d) leaves his vehicle to tout for passengers; or
- (e) endeavours to attract notice by whistling, shouting, calling or sounding a horn or siren; or
- (f) permits the vehicle to loiter; or
- (g) wrongfully or forcibly prevents or attempts to prevent the driver or crew member of any other public motor vehicle from obtaining a passenger; or
- (h) for the purpose of taking up or setting down passengers, stops at a place other than a stopping place authorized by the Superintendent; or
- (i) sleeps, lounges or eats his meals inside the vehicle; or
- (j) conveys on the roof of the vehicle luggage or goods that is or are not safely and securely fastened to the vehicle,

is guilty of an offence.

(2) The driver or crew member of a motor omnibus must, while plying for hire—

- (a) be clean and tidy; and
- (b) wear clean and respectable clothes; and
- (c) conduct himself in an orderly manner, and with civility and propriety towards every passenger or intending passenger.

Penalty: A fine not exceeding K500.00.

## **69. CARRIAGE OF OFFENSIVE SUBSTANCES.**

The driver of a motor omnibus must not, on a public street, permit a person to place or carry in the vehicle a substance of an offensive character.

Penalty: A fine not exceeding K500.00.

## **70. DRIVING FOR LONG PERIODS.**

A holder of a certificate of registration who requires or permits a driver to drive a motor omnibus—

- (a) for more than eight hours (including a meal break of not less than 30 minutes) in a day; or
- (b) on more than six days out of any period of seven days,

is guilty of an offence.

Penalty: A fine not exceeding K500.00.

***Subdivision D. – Miscellaneous.***

**71. RETURNS.**

(1) A holder of a certificate of registration must, within one month after 30 June and 31 December in each year, furnish to the Board—

- (a) a balance sheet in respect of all motor omnibus operations carried on by him; and
- (b) a statement showing, in respect of each route over which he operates a motor omnibus service—
  - (i) the number of passengers carried by his motor omnibuses; and
  - (ii) the number of his motor omnibuses plying on the route,

each covering the period of six months immediately preceding that date.

(2) A holder of a certificate of registration must furnish such further information in respect of motor omnibus operations carried on by him as the Board or the Superintendent requests in writing.

Penalty: A fine not exceeding K500.00.

**72. APPEALS.**

(1) A person aggrieved by a decision or determination of the Board or the Superintendent under this Division may—

- (a) within 14 days after the making of the decision or determination complained of; or
- (b) in the case of a determination under Section 58(8), within seven days after the receipt by him of a copy of the determination sent to him under that section,

appeal to the Head of State, acting on advice, whose decision is final.

(2) The Head of State, acting on advice, may, in any particular case, extend the time for making an appeal under Subsection (1) if in his opinion, having regard to all the circumstances, it is just and equitable to do so.

**73. CLEANLINESS.**

The holder of a certificate of registration in respect of, and the driver of, a motor omnibus must take all reasonable steps to keep the omnibus clean.

Penalty: A fine not exceeding K500.00.

***Division 5.***

***General Provisions Relating to Hire Cars and Omnibuses.***

**74. INTERPRETATION OF DIVISION 5.**

In this Division, “public motor vehicle to which this Division applies” means a private hire car, taxicab or motor omnibus.

#### **75. RECORD OF DRIVERS.**

(1) Subject to Subsection (2), a holder of a certificate of registration in respect of a public motor vehicle to which this Division applies must—

- (a) keep a record of—
  - (i) the full name and address of each person who has driven the vehicle; and
  - (ii) the dates on which the person drove the vehicle; and
- (b) at the request of the Superintendent, a member of the Police Force or an Inspector of Motor Traffic, produce the record for the inspection of the Superintendent, member or Inspector.

Penalty: A fine not exceeding K500.00.

(2) It is not necessary for the holder of a certificate of registration to keep the record of a driver for more than three months or to produce it in respect of a period earlier than three months before the date of the request.

#### **76. PRODUCTION OF CERTIFICATE OF REGISTRATION TO SUPERINTENDENT, ETC.**

(1) The Superintendent, or the Provincial Government or Local-level Government Special Purposes Authority that granted the certificate of registration may, by written notice, require the owner of a public motor vehicle to which this Division applies to produce at the office of the Superintendent or that Provincial Government or Local-level Government Special Purposes Authority or at some other place specified in the notice, within such time as is specified in the notice, the certificate of registration held by him in respect of the vehicle.

(2) A person who, after receipt of a notice under Subsection (1), fails, without reasonable excuse, to produce the certificate of registration in accordance with the notice is guilty of an offence.

Penalty: A fine not exceeding K500.00.

#### **77. PRODUCTION OF CERTIFICATE OF REGISTRATION TO DRIVER.**

A holder of a certificate of registration in respect of a public motor vehicle to which this Division applies must, before permitting or employing any person to act as the driver of the vehicle, produce to him, if required by him, the certificate of registration in respect of the vehicle.

Penalty: A fine not exceeding K500.00.

#### **78. NOTICE OF ACCIDENT.**

If an accident occurs in connection with a motor omnibus or taxicab, the driver must immediately give notice of the accident to the owner.

Penalty: A fine not exceeding K500.00.

**79. USE FOR ILLEGAL PURPOSES.**

The owner or driver of a motor omnibus or taxicab must not cause or permit the vehicle to be used for an illegal purpose.

Penalty: A fine not exceeding K500.00.

**80. LIABILITY OF UNLICENSED DRIVERS.**

An unlicensed person acting as the driver of a motor omnibus or taxicab is subject to this Regulation and liable for any breach as if he were a licensed driver.

**PART VI. – TRADERS’ PLATES.**

**81. APPLICATIONS FOR TRADER’S PLATES.**

(1) An application for a trader’s plate or the renewal of a trader’s plate shall be made to the Superintendent in Form 18.

(2) On receipt of an application under Subsection (1), the Superintendent may, by notice to the applicant, require him to attend at the office of the Superintendent on a date specified in the notice.

**82. ISSUE OF TRADERS’ PLATES AND TRADER’S PLATE CERTIFICATES.**

(1) Subject to Section 83, the Superintendent may issue to an applicant under Section 81–

- (a) a trader’s plate; and
- (b) a certificate in Form 19.

(2) The fee for the issue of a trader’s plate is as prescribed by Schedule 10.

**83. QUALIFICATIONS FOR ISSUE OF TRADERS’ PLATES AND TRADERS’ PLATE CERTIFICATES.**

(1) A trader’s plate, and a trader’s plate certificate, may be issued only to a person, firm or company who or that–

- (a) is *bona fide* engaged in manufacturing, dealing in or repairing motor vehicles; and
- (b) has premises suitable for that purpose.

(2) A trader’s plate or trader’s plate certificate shall not be issued unless a report in Form 20 recommending the issue of the plate has been made by a person authorized for the purpose by the Superintendent.

#### **84. CONDITIONS OF USE OF TRADERS' PLATES.**

(1) A trader's plate may, subject to this Regulation, be placed on a motor vehicle that is in the possession of the person, firm or company to whom or to which the plate was issued, while the vehicle is—

- (a) on trial—
  - (i) during the course of construction or repairs; or
  - (ii) after completion,

for the purpose of ascertaining that the parts of the vehicle are in proper working condition; or

- (b) on trial, for the benefit of a prospective purchaser or a person *bona fide* interested in the exchange of the vehicle; or
- (c) proceeding to or returning from a prospective purchaser for or after trial; or
- (d) proceeding for delivery to a purchaser; or
- (e) proceeding to or returning from a workshop for painting or repairs; or
- (f) proceeding to a wharf for shipment or from a wharf to the premises of the trader; or
- (g) proceeding to an exhibition or show for display or trial, or returning from an exhibition or show to the premises of the trader; or
- (h) proceeding to or returning with a disabled motor vehicle.

(2) A trader's plate that has been issued for use on—

- (a) a motor vehicle, other than a motor cycle—must not be used on a motor cycle; and
- (b) a motor cycle—must not be used on a motor vehicle other than a motor cycle.

(3) A person, firm or company to whom or to which a trader's plate is issued must not use the trader's plate, or permit it to be used, otherwise than in a manner specified in Subsection (1) or (2).

Penalty: A fine not exceeding K20.00.

#### **85. AFFIXING OF TRADER'S PLATES.**

A person shall not operate a motor vehicle on which there is a trader's plate unless—

- (a) the trader's plate is affixed to the vehicle in accordance with Section 19(1); and
- (b) the provisions of this Regulation relating to trader's plates are



complied with.

#### **86. DRIVERS OF VEHICLES WITH TRADERS' PLATES.**

(1) Subject to Subsections (2) and (3), a person shall not operate a motor vehicle to which a trader's plate is affixed.

Penalty: A fine not exceeding K20.00.

(2) Subsection (1) does not apply to a person who—

- (a) is the holder of a driving licence to drive the motor vehicle; and
- (b) is—
  - (i) the person to whom the trader's plate concerned was issued; or
  - (ii) a member of the firm or company to which the plate was issued; or
  - (iii) a salaried officer or regular employee of the person, firm or company to which the plate was issued.

(3) A prospective purchaser may drive a motor vehicle on which there is a trader's plate if—

- (a) he produces to the trader his driving licence to drive the vehicle; and
- (b) in the case of a motor vehicle other than a motor cycle—one of the persons specified in Subsection (2)(b) accompanies him while he is driving it.

#### **PART VII. – LICENCES, REGISTRATIONS, ETC., GENERALLY.**

#### **87. REFUSAL, SUSPENSION AND CANCELLATION.**

(1) The Superintendent may—

- (a) refuse to grant a driving licence to a person who—
  - (i) has been convicted of driving a motor vehicle—
    - (A) while under the influence of liquor or a drug; or
    - (B) on a public street in a manner dangerous to the public; or
  - (ii) is, in his opinion, for any other reason unfit to hold a driving licence; or
- (b) cancel or suspend, for such period as he thinks proper—
  - (i) a driving licence issued to a person who, in his opinion, is unfit to hold a driving licence; or
  - (ii) the registration of a motor vehicle that he thinks to be, by reason of its condition, design or construction, a source of danger or annoyance to the public; or

- (c) revoke or suspend the right of any person, firm or company to use a trader's plate.

(2) A person aggrieved by a decision of the Superintendent under Subsection (1) may appeal to a court, which may make an order—

- (a) cancelling or varying the decision; and
- (b) giving such other directions as it thinks proper,

and the order and directions are final.

(3) A person, firm or company who or that uses, or causes or permits to be used, a trader's plate, the right to use which is revoked or suspended, is guilty of an offence.

Penalty: A fine not exceeding K50.00.

## **88. DELIVERY OF LICENCE, ETC., ON CANCELLATION.**

(1) A person to whom a certificate of registration, driving licence or trader's plate has been issued must—

- (a) immediately the certificate or licence has been suspended or cancelled, or the right to use the trader's plate has been revoked or suspended, as the case may be; or
- (b) in the case of a certificate of registration or driving licence—within three days after it expires,

deliver—

- (c) the certificate of registration and number-plate; or
- (d) the driving licence; or
- (e) the trader's plate and trader's plate certificate,

as the case may be, to the Superintendent.

Penalty: A fine not exceeding K100.00.

(2) Where a number-plate delivered to the Superintendent under Subsection (1) is, in his opinion, defaced, the owner shall, if directed to do so by the Superintendent, pay to the Superintendent the fee prescribed by Schedule 10.

## **89. CHANGE OF ADDRESS.**

(1) Within 14 days after any change of his address during the currency of the certificate, licence or plate, a person who has been granted a certificate of registration, driving licence or trader's plate certificate must—

- (a) give written notice of the change of address; and
- (b) bring or forward his certificate of registration, licence or trader's plate certificate, as the case may be,

to the Superintendent or an Inspector of Motor Traffic.

Penalty: A fine not exceeding K10.00.

(2) The Superintendent or Inspector of Motor Traffic shall cause the new address to be endorsed on the certificate of registration, licence or trader's plate certificate, as the case requires, which shall then be returned to the owner.

#### **90. LOSS, ETC., OF LICENCE, ETC.**

(1) Where a certificate of registration, driving licence or trader's plate certificate has been lost, defaced or destroyed, the owner of the vehicle to which the certificate of registration or trader's plate certificate relates, or of the licence, as the case may be, must, within seven days, forward to the Superintendent a notification of the loss, defacement or destruction, and thereupon the original certificate or licence is void.

Penalty: A fine not exceeding K20.00.

(2) The Superintendent may—

- (a) on application in Form 21 by the holder of the lost, defaced or destroyed certificate or licence, accompanied by a statutory declaration in Form 22; and
- (b) if satisfied that no misuse has been made of it; and
- (c) on payment by the owner of the fee prescribed by Schedule 10,

issue to the owner a substitute in Form 23, 24 or 25, as the case requires, for the certificate or licence.

(3) Within seven days after the receipt of the substitute certificate of registration or trader's plate certificate, the owner of the motor vehicle to which it relates must affix the new registration label on the vehicle in place of the one lost, defaced or destroyed.

Penalty: A fine not exceeding K20.00.

#### **91. LOSS, ETC., OF NUMBER-PLATE OR TRADERS' PLATE.**

(1) Where a number-plate or trader's plate has been lost or destroyed, the owner of the motor vehicle to which it was affixed must, within seven days, forward to the Superintendent a statutory declaration of the loss or destruction.

Penalty: A fine not exceeding K20.00.

(2) The Superintendent shall—

- (a) if the motor vehicle has not also been lost or destroyed; and
- (b) if he is satisfied that no improper use has been made of the number-plate or trader's plate,

supply the owner with a new number-plate or trader's plate, on payment by the

owner of the fee prescribed by Schedule 10.

(3) Within seven days after the receipt of new number-plates or trader's plates, as the case may be, the owner of the motor vehicle shall affix it to the motor vehicle in accordance with Section 19(1).

**92. DEFACEMENT OF CERTIFICATE OF REGISTRATION, ETC.**

A person who defaces a certificate of registration, trader's plate certificate, driving licence, learner's permit or number-plate is guilty of an offence.

Penalty: A fine not exceeding K20.00.

**93. DISPOSING, ETC., OF CERTIFICATE OF REGISTRATION, ETC.**

A person who lends or parts with a certificate of registration, trader's plate certificate, driving licence, learner's permit or number plate is guilty of an offence.

Penalty: A fine not exceeding K20.00.

**PART VIII. – LIGHTS.**

***Division 1.***

***Compulsory Lights.***

**94. USE OF MOTOR VEHICLE LIGHTS.**

(1) A person shall not operate a motor vehicle unless—

- (a) that motor vehicle is equipped with the lamps and reflectors specified in this Division; and
- (b) those lamps and reflectors are maintained in a clean and serviceable condition; and
- (c) between the hours of sunset and sunrise, the lamps specified in this Division display lights in the manner specified.

(2) A person shall not park or leave a motor vehicle on a public street between the hours of sunset and sunrise unless—

- (a) that motor vehicle displays—
  - (i) a red light from a rearward facing tail lamp; and
  - (ii) forward facing side lamp,  
on the side of the vehicle that is closer to the middle of the road; or
- (b) that motor vehicle—
  - (i) is lighted from an artificial source, other than from the motor vehicle; and

(ii) is clearly visible at a distance of 100m.

(3) A person shall not operate a laden motor vehicle between the hours of sunset and sunrise unless—

- (a) a white marker light is displayed on the foremost part of any load that projects more than 1.5m in front of; and
- (b) a red marker light is displayed on the rearmost part of any load that projects more than 1.5m behind,

that motor vehicle.

(4) A person who drives a motor vehicle on a public street between the hours of sunset and sunrise shall—

- (a) when the motor vehicle is within 200m—
  - (i) of another vehicle travelling in the opposite direction; or
  - (ii) of another vehicle travelling in the same direction and in front of the first mentioned motor vehicle; or
- (b) when he is approaching the brow of a hill or an inter-section; or
- (c) when the traffic is under the control of a member of the police force,

dip, and keep in the dipped position, the lights from the head lamps.

(5) Except as provided by Section 96(2), (3) or (4), a person shall not drive a motor vehicle that displays—

- (a) towards the front any light, or reflecting surface, that is red in colour;  
or
- (b) towards the rear any light that is not red, or amber, in colour.

## **95. HEADLAMPS.**

(1) Subject to Subsection (2), a motor vehicle other than a trailer, shall be equipped with and have attached thereto—

- (a) at least two headlamps; or
- (b) a dual headlamp system comprising four headlamps in two sets, each set—
  - (i) comprising two headlamps; and
  - (ii) located equidistant from the centre line of the motor vehicle and at equal height from the ground.

(2) Notwithstanding Subsection (1), a motor cycle shall be equipped with and have attached thereto at least one and not more than two headlamps.

(3) Each headlamp shall—

- (a) be of approximately equal light output; and
- (b) when lit display lights substantially white in colour; and
- (c) except in the case of a motor cycle, be placed on each side of the vehicle in such a way that each headlamp directs a beam of light ahead of the vehicle; and
- (d) when the lights are in the dipped position display a beam of light of sufficient power to enable—
  - (i) substantial dark objects; and
  - (ii) the nature of the road surface,

at a distance of at least 50m and directly in front of the vehicle, to be clearly visible during the hours of darkness.

(4) For the purposes of this section—

- (a) headlamps are deemed to be dipped when—
  - (i) the beams from all headlamps assume a dipped position; and
  - (ii) in the case of a dual system of headlamps, one light in each set is extinguished and the other lights assume a dipped position; and
- (b) the beam of a headlamp is deemed to be in a dipped position if it is so aimed that—
  - (i) the centre line of the beam of light descends at a rate of not less than 100mm in 3m; or
  - (ii) the top of the high intensity zone, measured at 3m from the headlamp, lies not less than 50mm below a horizontal plane passing through the centre of the headlamp.

## **96. FORWARD FACING SIDE LAMPS.**

(1) Subject to Subsection (3), a motor vehicle other than—

- (a) a motor cycle; or
- (b) a trailer the width of which does not exceed 1.5m,

shall be fitted with two forward facing side lamps one of which shall be fitted on each side of the front of the vehicle.

(2) The distance to the vertical centre line of a forward facing lamp referred to in Subsection (1) shall not, when measured from the outer extremity of a motor vehicle, exceed 300mm.

(3) A side car attached to a motor cycle shall be fitted with a forward facing side lamp at the front of the side car at a distance not exceeding 300mm from the extremity of the side car furthest from the motor cycle.

- (4) When lit, a forward facing side lamp shall—
  - (a) display a beam of light white, or amber, in colour; and
  - (b) not exceed 7w in capacity; and
  - (c) in clear weather, during the hours of darkness, be visible from a distance of 200m.

(5) A forward facing side lamp shall not be mounted higher than 1.5m from the ground.

#### **97. SIDE MARKER LAMPS.**

A motor truck, trailer or semi-trailer which exceeds 7.5m in length shall, at a point midway along each side of the body or the tray, as the case may be, be fitted with lamps which when lit—

- (a) display towards the front of the vehicle a white light; and
- (b) display towards the rear of the vehicle a red light; and
- (c) do not exceed 7w in capacity.

#### **98. REARWARD FACING LAMPS.**

(1) Subject to Subsection (2), a motor vehicle shall be fitted with at least one tail lamp.

(2) Notwithstanding Subsection (1), from and after 1 January, 1989, a motor vehicle, other than a motor cycle which is not fitted with a side car, shall be fitted with at least two tail lamps.

(3) A tail lamp shall display a red light which—

- (a) shall not exceed 7w in capacity; and
- (b) shall, in clear weather, during the hours of darkness, be visible from a distance of 200m.

(4) Where only one tail lamp is fitted to a motor vehicle, that tail lamp shall be—

- (a) mounted in the centre; or
- (b) mounted on the right side at the rear,

of the vehicle.

(5) Where two or more tail lamps are fitted, the outer tail lamps shall—

- (a) be mounted one each side of the centre line at the rear of the vehicle; and
- (b) not be more than 300mm from the outer extremity of the vehicle.

(6) A tail lamp shall be mounted no higher than 1.5m from the ground.

## **99. STOP LAMPS.**

(1) Subject to Subsection (2), a motor vehicle shall be fitted with at least one stop lamp.

(2) Notwithstanding Subsection (1), from and after 1 January, 1989, a motor vehicle, other than a motor cycle, shall be fitted with two stop lamps one on each side of the centre line, and mounted at the rear, of the vehicle.

(3) A stop lamp shall be mounted no higher than 1.5m from the ground.

(4) A stop lamp when lit shall, in normal sunlight, from a distance of at least 100m, display towards the rear of the vehicle, a red light that is clearly visible.

## **100. NUMBER PLATE LAMPS.**

(1) A motor vehicle shall be so fitted with a rear number plate lamp that—

- (a) the figures and letters of the rear number plate are clearly visible from a distance of 20m; and
- (b) the beams of the light from the lamp are not visible from the rear of the vehicle.

(2) The light of a rear number plate lamp shall be white in colour.

## **101. REAR REFLECTORS.**

(1) A motor vehicle, other than a motor cycle, shall be equipped with at least two red reflectors as nearly as practicable towards the rear corners of the vehicle.

(2) A motor cycle shall be equipped with at least one red reflector mounted at the rear of the motor cycle.

(3) A trailer equipped with a drawbar pole that extends behind the rear lights of the trailer shall, in addition to the red reflectors specified in Subsection (1), be equipped with a red reflector on the rearmost extremity of the drawbar pole.

## **102. SIGNALLING DEVICES.**

(1) Subject to Subsection (3), a motor vehicle shall be equipped with, and have attached thereto—

- (a) in the case of a motor vehicle other than a trailer, at the front; and
- (b) at the rear,

of the vehicle, not less than two flashing direction indicator lamps—

- (c) capable of signalling the intention of a driver of the vehicle to turn to the right or to the left; and
- (d) mounted no higher than 1.5m from the ground.

(2) A direction indicator lamp shall—



- (a) be fitted in such a way that—
  - (i) the lamp to indicate a right turn is near the right; and
  - (ii) the lamp to indicate a left turn is near the left,

of the vehicle; and

- (b) in the case of a forward facing lamp, display a light that is substantially white, or amber, in colour; and
- (c) in the case of a rearward facing lamp, display a light that is amber in colour; and
- (d) when lit, display a light that is visible in normal sunlight at a distance of not less than 100m; and
- (e) be so connected, that a failure of any lamp is indicated to the driver by a device that is visible from the normal driving position; and
- (f) begin to flash no later than one second after the controlling switch is operated and shall flash constantly at a rate of not less than 60, and not more than 120, times per minute.

(3) In the case of an articulated vehicle, a rigid vehicle or combinations over 7.5m in length—

- (a) the front flashing indicator lamps shall be so constructed and arranged; or
- (b) some additional lamp shall be so mounted on each side of the front of the vehicle,

that the flashes are visible by the driver of an overtaking vehicle.

(4) A motor vehicle that is fitted with direction indicator lamps as specified in Subsection (2) may be fitted with a switch for the purpose of causing all such lamps to flash simultaneously in order only to indicate that the vehicle—

- (a) has been immobilised by a mishap; or
- (b) is stationary at the site of a temporary hazard to traffic.

(5) The driver of a motor vehicle shall disengage a flashing light signal referred to in this section if the signal is likely to mislead a pedestrian, a person directing traffic or the driver of another vehicle.

(6) A person who operates a motor vehicle shall ensure that any flashing light signalling device installed in that vehicle is maintained in good and efficient working order.

(7) Subsections (1) and (2) of this section do not apply to a tractor, trailer or mobile machine the construction, loading or intended loading of which does not prevent a satisfactory arm signal being seen by the driver of a vehicle travelling behind the tractor, trailer or mobile machine, as the case may be.

***Division 2.***  
***Optional lamps.***

**103. AUXILIARY HEADLAMPS.**

(1) A motor vehicle, other than a trailer, may, in addition to the headlamps referred to in Section 95, be equipped with one or more auxiliary headlamps which shall be mounted in a permanently dipped position.

(2) Where a motor vehicle is equipped with one only auxiliary headlamp, that auxiliary head lamp shall be so connected electrically that when lit the side lamps or dipped headlamps are simultaneously lit.

(3) Where a motor vehicle is equipped with an auxiliary headlamp that auxiliary headlamp shall be mounted below the horizontal centre line of the compulsory headlamp.

(4) Where a motor vehicle is equipped with two or more auxiliary headlamps, those headlamps—

- (a) shall be mounted at an equal distance from the centre line of the vehicle; and
- (b) shall be mounted at an equal height from the ground; and
- (c) shall be so mounted that the centre of each auxiliary headlamp is no higher than the centre of the compulsory headlamps fitted to the vehicle.

(5) An auxiliary headlamp shall, when lit, display a light that is white, or amber, in colour.

**104. ROTATING OR FLASHING LIGHTS.**

(1) The Superintendent may, in respect of—

- (a) a particular motor vehicle; or
- (b) a class of motor vehicles,

grant approval for that motor vehicle, or class of motor vehicles, as the case may be, to be equipped with one or more lamps capable of displaying a rotating or flashing light.

(2) Subject to Subsection (3), a lamp referred to in Subsection (1) shall not be used unless a motor vehicle—

- (a) is stationary and in a hazardous position; or
- (b) is moving at a speed not exceeding 10Kph in hazardous conditions.

(3) In the case of an ambulance, fire fighting vehicle or police vehicle, a lamp referred to in Subsection (1) may be used when the vehicle is being driven for urgent purposes arising from an accident, a fire or other emergency.

(4) A lamp referred to in Subsection (1) shall be of such colour as the Superintendent may approve.

#### **105. INTERIOR LIGHTS.**

A motor vehicle may be equipped with one or more lamps, not exceeding 6w in capacity, to illuminate the interior of the vehicle.

#### **106. REVERSING LAMPS.**

A motor vehicle may be equipped with not more than two lamps that—

- (a) display towards the rear of the vehicle beams of light that are white, or amber, in colour; and
- (b) are so connected that they operate only when the reverse gear is engaged.

#### **106A. AUXILIARY STOP LAMPS.**

A motor vehicle may, in addition to the stop lamps referred to in Section 99, be equipped with not more than two auxiliary stop lamps situated within the rear window of the motor vehicle and which shall, when lit, display a red light.

#### **107. OFFENCES.**

A person who operates a motor vehicle in contravention of any of the provision of this Part is guilty of an offence.

Penalty: A fine not exceeding K500.00.

#### **PART IX. – MAXIMUM WEIGHTS AND MEASUREMENTS, ETC.**

#### **108. INTERPRETATION. .**

In this Part, unless the contrary intention appears, “weighbridge officer” includes—

- (a) a member of the Police Force; and
- (b) an inspector of motor traffic; and
- (c) any person appointed by the Superintendent for the purpose under Section 109.

#### **109. APPOINTMENT OF WEIGHBRIDGE OFFICERS.**

The Superintendent may, in writing, appoint any person to be a weighbridge officer.

#### **110. GENERAL POWER OF EXEMPTION.**

(1) The Superintendent may, by written permit, exempt the owner or driver of a motor vehicle from all or any of the provisions of this Part.

(2) A permit under Subsection (1)–

- (a) may be granted for a single trip or for a specified period; and
- (b) may specify the degree to which the provisions, or any of the provisions of, this Part do not apply; and
- (c) shall designate the public streets to be traversed; and
- (d) shall come within the design limits of the streets to which the exemption applies; and
- (e) may–
  - (i) contain such other conditions and provisions; and
  - (ii) require such undertaking or security,  
as the Superintendent thinks necessary for–
  - (iii) protecting a public street from damage; and
  - (iv) securing the payment to the State of any damage caused to a public street by reason of the use of the vehicle for which the exemption is granted.

(3) A permit granted under Subsection (1) shall–

- (a) at all times, be carried in the vehicle in respect of which it is granted; and
- (b) be produced, on demand, to a weighbridge officer, by the driver or person in charge of the motor vehicle.

(4) A person who operates a vehicle exempted under Subsection (1) shall pay to the State the amount of any damage caused to a public street by reason of the use of that vehicle on that street.

(5) An amount due under Subsection (4) may be recovered by the State as a debt.

## **111. MAXIMUM LENGTH OF VEHICLES.**

The maximum length of a motor vehicle or combination shall not exceed–

- (a) in the case of a rigid vehicle, other than a semi-trailer, 11.3m of which the forward length shall not exceed 8.3m; and
- (b) in the case of an articulated vehicle, 17m of which–
  - (i) the maximum length of a semi-trailer shall not exceed 12.5m; and
  - (ii) the forward length of a semi-trailer shall not exceed 8.5m; and
- (c) in the case of a motor vehicle and trailer, not being an articulated

vehicle, 18m of which the space between the motor vehicle and trailer shall not exceed 4m.

#### **112. MAXIMUM WIDTH OF VEHICLES.**

The maximum width of a motor vehicle together with any load or equipment thereon shall not—

- (a) exceed 2.5m; or
- (b) extend more than 1.25m beyond the longitudinal centre line of that vehicle.

#### **113. SIDE OVERHANG.**

No part of a motor vehicle or its load shall extend sideways more than 300mm from the longitudinal centre line of the outermost tyre.

#### **114. HEIGHT.**

The maximum height of a motor vehicle together with any load or equipment thereon shall not exceed 4.3m.

#### **115. FORWARD PROJECTION.**

No part of a motor vehicle (other than a truck-mounted mobile crane) shall extend more than 3m forward from the front edge of the driver's seat.

#### **116. REAR OVERHANG.**

(1) No part of a motor vehicle shall overhang the rear axis by more than—

- (a) 60% of the wheel base; or
- (b) 3.2m,

whichever is the lesser.

(2) For the purposes of Subsection (1) the wheel base of a motor vehicle is—

- (a) in the case of a motor vehicle, other than an articulated vehicle, the distance from the centre line of the front axle to the rear axis of that vehicle; and
- (b) in the case of an articulated vehicle, the distance from the rear axis of the towing unit to the rear axis of the semi-trailer.

#### **117. PROJECTING LOADS.**

(1) No load shall project more than 1.5m beyond the rear, or the front, of a motor vehicle unless—

- (a) between the hours of sunrise and sunset there is affixed to the projecting end of the load a clean, red flag at least 400mm long and

300mm wide; and

- (b) between the hours of sunset and sunrise there is carried on the end of the load—
  - (i) projecting rearward, a bright red light; and
  - (ii) projecting forward, a white marker light.

(2) No load shall project more than 3m beyond the rear, or the front, of a vehicle unless the written consent of an inspector of motor traffic is first obtained.

#### **118. CERTAIN VEHICLES TO SATISFY A MINIMUM POWER TO WEIGHT RATIO.**

A motor truck first registered after 1 January 1989 which is propelled by a compression ignition engine shall be so constructed that the power of engine produces at least 4.4 Kw for every 1000 kg of the gross weight of the vehicle and any trailer drawn thereby.

#### **119. WEIGHT AND LOAD LIMITATIONS.**

(1) Subject to Section 110, a person shall not operate a vehicle or combination of vehicles unless—

- (a) all axles in an axle group, other than axles referred to in Paragraph (e), are equipped with a load sharing suspension system; and
- (b) the weight carried by a single tyre, other than a wide profile tyre, does not exceed 2.8 tonnes; and
- (c) subject to Paragraph (g), the weight carried by a single axle—
  - (i) fitted with single tyres—does not exceed 5.5 tonnes; or
  - (ii) fitted with dual tyres, does not exceed 8.5 tonnes,  
or the vehicle manufacturer's gross axle load limit,  
whichever is the lesser; and
- (d) in the case of a tandem axle group—
  - (i) where both axles are fitted with dual tyres—
    - (A) the weight carried by the axle group does not exceed 16 tonnes; and
    - (B) the weight carried by either axle does not exceed 8.5 tonnes; and
  - (ii) where one axle is fitted with dual tyres and the other axle is fitted with single tyres—
    - (A) the weight carried by the axle group does not exceed 12 tonnes; and

- (B) the weight carried by the axle group fitted with dual tyres does not exceed 8.5 tonnes; and
    - (C) the weight carried by the axle group fitted with single tyres does not exceed 5.5 tonnes; and
  - (iii) where both axles are fitted with single tyres–
    - (A) the weight carried by the axle group does not exceed 10 tonnes; and
    - (B) the weight carried by either axle does not exceed 5.5 tonnes; and
- (e) in the case of a twin steer axle group–
  - (i) the weight carried by the group does not exceed 10 tonnes; and
  - (ii) the weight carried by either axle does not exceed 5.5 tonnes; and
- (f) in the case of a tri-axle group–
  - (i) where all axles are fitted with dual tyres–
    - (A) the weight carried by the axle group does not exceed 20 tonnes; and
    - (B) the weight carried by any one axle does not exceed 8.5 tonnes; and
  - (ii) where all axles are fitted with single tyres or a combination of single and dual tyres–
    - (A) the weight carried by the axle group does not exceed 15 tonnes; and
    - (B) the weight carried by an axle fitted with dual tyres does not exceed 8.5 tonnes; and
    - (C) the weight carried by an axle fitted with single tyres does not exceed 5.5 tonnes; and
- (g) the weight carried by an axle, other than a steering axle, that is fitted with wide profile tyres is equivalent to the weight specified in this section in respect of axles fitted with dual tyres; and
- (h) the combined axle load of any group of consecutive axles does not exceed the weight specified in Column 2 of Schedule 6 in relation to the axle spacing set out opposite to that weight in Column 1 of that Schedule; and
- (i) the gross weight of the vehicle or combination of vehicles does not exceed the weight specified in Column 2 of Schedule 6 in relation to the axle spacing set out opposite to that weight in Column 1 of that Schedule.

(2) A vehicle shall not be equipped with a retractable axle that has a means of adjustment substantially to vary the axle load distribution between the axles of any axle group.

#### **120. NAME AND WEIGHT TO BE INDICATED.**

The owner of a motor truck shall at all times display, in a conspicuous position on the right side of the truck, in letters and figures at least 50mm high—

- (a) the name and address of the owner of that truck; and
- (b) the word “Tare” or the letter “T” followed by the unladen weight of that truck; and
- (c) the words “Gross Vehicle Weight” or the letters “G.V.W.” followed by the gross vehicle weight of that truck.

#### **121. MINISTER MAY LIMIT WEIGHT, HEIGHT, ETC.**

(1) The Minister may, either generally or in relation to a specified public street or a specified portion of a public street, by notice in the National Gazette, limit—

- (a) the maximum weight, height, length or width of a vehicle; and
- (b) the distance to be maintained between vehicles,

permitted to be driven or towed on that public street.

(2) As soon as practicable after the publication of a notice under Subsection (1), the Superintendent shall, at such points on the public street, or on the portion of the public street, to which the notice relates, as he thinks desirable, cause signs showing the maximum weight, height, length or width specified in that notice, to be erected.

(3) Where, in accordance with—

- (a) Subsection (1), a notice has been published; and
- (b) Subsection (2), a sign has been erected,

a person who, in contravention of those subsections, operates or tows a motor vehicle or causes a motor vehicle to be operated or towed on the public street or portion of the public street, the subject of the notice and the sign, is guilty of an offence.

Penalty: A fine not exceeding K500.00.

#### **122. WEIGHT WHERE AXLE LOADS MEASURED SEPARATELY.**

Where—

- (a) a motor vehicle, with or without a load, is weighed at a weighbridge or weighing machine; and



- (b) the axles of that motor vehicle are weighed separately, in groups or both separately and in groups,

the sum of the weight of all axles shall be deemed to be the weight of the vehicle with that load or without that load, as the case may be.

### **123. PROCEDURE FOR WEIGHING, MEASURING ETC.**

A person who drives or is in charge of a motor vehicle on a public street shall, when requested by a weighbridge officer so to do—

- (a) stop the vehicle; and
- (b) give correctly his full name and address; and
- (c) park the vehicle, together with its load (if any) on a portion of a public street or on an area selected by the weighbridge officer; and
- (d) keep the vehicle and its load (if any) stationary in order that its weight or measurement may be ascertained by the weighbridge officer; and
- (e) give such reasonable assistance as the weighbridge officer may require to enable the weight or measurement of the vehicle to be ascertained; and
- (f) produce and deliver to the weighbridge officer any delivery note, bill of lading or other document relating to any load carried on the motor vehicle; and
- (g) to the extent necessary for the vehicle or any part of the vehicle to comply with any weight, height or width restrictions specified in this Regulation in respect of—
  - (i) that vehicle or any part of that vehicle; and
  - (ii) that public street or that portion of the public street on which the vehicle is stopped,

remove any part of any load carried on the vehicle.

- (h) The owner of a motor vehicle is responsible for any damage or loss occasioned by or arising out of the removal from the vehicle of any load under Subsection (1)(g).

### **124. EVIDENCE OF WEIGHTS AND MEASURES.**

In a prosecution for an offence against this Part—

- (a) a delivery note, bill of lading or other document, that refers to any load or portion of any load on a motor vehicle; or
- (b) a marking on any load or on a portion of any load, that refers to the weight or measurement of the load, or a portion of the load,

may be admitted as evidence of the weight or measurement of the load or of a

portion of the load, as the case may be.

## **125. OFFENCES.**

(1) A person who, without reasonable excuse (proof of which is on him), tampers or interferes with any part of a weighbridge or weighing machine is guilty of an offence.

(2) A person who, in contravention of any of the provisions of this Part, operates a motor vehicle, other than a motor vehicle exempted under Section 110, is guilty of an offence.

Penalty: In the case of a contravention of Section 119(1)(c) to (i) inclusive, the fine specified in Schedule 12; and in all other cases a fine not exceeding K500.00.

## **PART X. – EQUIPMENT.**

### **125A. BRAKES.**

(1) Subject to Subsection (2), a motor vehicle, other than a trailer, shall be equipped with two independent brakes, one being a service brake and the other being a parking brake.

(2) A motor cycle shall be equipped with two service brakes, one acting on each wheel.

(3) Subject to Subsection (4), a person shall not operate a motor vehicle (including a motor vehicle to which a trailer is attached), whether that motor vehicle is laden or unladen, unless—

- (a) upon a hard, dry, level roadway that is free of loose material; and
- (b) without assistance from the compression of the engine; and
- (c) from a speed of 30kph—
  - (i) the service brake is capable of bringing the vehicle to a standstill within a distance of seven metres; and
  - (ii) the parking brake is capable—
    - (A) of bringing the vehicle to a standstill within a distance of 18 metres; and
    - (B) of holding the vehicle at rest on a grade of 1 in 5.

(4) In the case of a motor vehicle with a service brake designed to act on fewer than four wheels of the vehicle, the service brake shall, from a speed of 30 Kph, be capable of bringing the vehicle to a standstill within a distance of nine metres.

(5) A brake which simultaneously applies braking pressure on two wheels that have a common axle shall be so adjusted that the braking pressure is approximately the same on each wheel.

(6) Every part of a braking system (including any mechanism fitted thereto for the purpose of operating the system) shall, at all times—

- (a) be maintained in good and efficient working order; and
- (b) be properly adjusted.

(7) A trailer, the mass of which—

- (a) together with its load exceeds 2,000 kg; or
- (b) exceeds, by more than 50%, the mass of the towing vehicle,

shall be equipped with a service brake readily applicable by the driver from his normal driving position.

(8) Subject to Subsection (9), a trailer, the mass of which together with its load exceeds 2,000Kg, shall be equipped with a parking brake in accordance with Subsection (3)(c)(ii).

(9) Subsection (8) does not apply to a trailer that—

- (a) forms part of an articulated combination; and
- (b) is not capable of being separately parked.

10) A motor truck that utilizes compressed air to apply the brakes shall be equipped with compressors and receivers capable of providing—

- (a) before the low pressure warning operates, a maximum of five full applications; and
- (b) thereafter, at least two full applications.

(11) A compressor referred to in Subsection (10) shall, in not more than 1 1/2 minutes starting the moment the pressure of the brake system falls after the maximum applications referred to in Paragraph (a) of that subsection, be capable of raising the pressure in the system to the point at which the compressor unloads.

(12) A receiver referred to in Subsection (10) shall—

- (a) be fitted with a gauge that is readily visible to a driver in his normal driving position; and
- (b) be equipped with an audible low pressure warning device.

(13) Where a motor truck utilizes compressed air to apply the brakes, the brake system shall be so protected that the operation of auxiliaries cannot lower the pressure, in any line or receiver, below two thirds of its maximum operational setting.

(14) Where a motor truck—

- (a) utilizes compressed air to apply the brakes; and
- (b) is used to tow a trailer that is required to be equipped with brakes,

that motor truck shall be so equipped that if the trailer becomes disengaged from the motor truck the brakes of the motor truck remain fully operative.

(15) Where a motor vehicle utilizes compressed air or vacuum to apply the brakes, the hose or other flexible tubing forming part of the brake lines shall be of a make or kind designed for the purpose.

(16) A trailer fitted with compressed air brakes shall be provided with separate air receivers and break-away hoses and valves designed to apply the trailer brakes automatically if the trailer becomes disengaged from the motor vehicle to which it was attached.

#### **125B. ENTRANCE AND EXIT.**

(1) A motor vehicle shall, in respect of passengers and driver, have—

- (a) a ready means of entry; and
- (b) a ready means of exit.

(2) Subject to Subsection (3), a door used for the entrance and exit of passengers and driver shall—

- (a) be securely affixed to the motor vehicle; and
- (b) be capable of remaining securely fastened when closed; and
- (c) be fitted with an efficient, permanent device for opening and closing the door; and
- (d) be capable of being operated from the inside and from the outside of the vehicle.

(3) Nothing contained in Subsection (2) shall be construed as prohibiting the use of a safety device, installed during the manufacture of a vehicle, to prevent the opening of the door from the inside of the vehicle.

#### **125C. EXHAUST, SILENCER, ETC.**

(1) A motor vehicle that has an internal combustion engine shall be equipped with an exhaust system, or silencer, which shall, at all times, be in good working condition.

(2) The outlet of an exhaust system referred to in Subsection (1) shall not project to the side of the motor vehicle in such a manner as is likely to cause danger or annoyance to any person.

(3) A person shall not operate a vehicle in such a manner that an excessive amount of smoke, likely to cause danger, damage or annoyance to other road users, is projected from the exhaust or from any other part of the vehicle.

(4) A person shall not operate a vehicle in such a manner that oil or grease, likely to cause danger, damage or annoyance to other road users, is emitted from the vehicle.

## **125D. MUDGUARDS.**

(1) From and after 1 January 1989, a person shall not operate a motor vehicle unless that motor vehicle is fitted with a mudguard—

- (a) over each wheel on the front; and
- (b) over each wheel on the rearmost,

axle.

(2) Where a motor truck or a motor car is constructed to be used principally for the carriage of nine or more passengers, the mudguard fitted to the rear axle of that motor truck or that motor car shall be so fitted that at all times while the vehicle is standing on a horizontal surface, the height of the lowest edge of the mudguard above the surface on which the vehicle stands is not more than one quarter of the horizontal distance between the lowest edge of the mudguard and a vertical plane passing through the centre of the wheels on the rear axle.

(3) This section does not apply to—

- (a) a motor vehicle used solely or principally to tow a semi trailer or a pole trailer; or
- (b) a pole trailer that is not used solely or principally for road work; or
- (c) a straddle truck, fork lift truck, agricultural tractor or mobile machine; or
- (d) an unladen vehicle—
  - (i) in an unfinished condition; and
  - (ii) used under the authority of a trader's plate; or
- (e) any other motor vehicle in respect of which the body is so constructed that the body performs the functions of a mudguard.

## **125E. REAR VISION MIRRORS.**

(1) A motor vehicle, other than a trailer, shall be so fitted with a mirror that the driver of the vehicle, while maintaining his normal driving position, has a clear reflected view of the roadway behind, and along each side of, the vehicle.

(2) In the case of—

- (a) a motor vehicle constructed principally for the carriage of goods; or
- (b) a motor vehicle constructed to carry nine or more passengers; or
- (c) a motor vehicle—
  - (i) constructed, equipped or loaded; or
  - (ii) towing a trailer or other vehicle,
- (d) in such a way that the rear vision of the driver through an interior

mirror is obscured,

- (e) that motor vehicle shall be equipped with two mirrors, one on each side of the vehicle, mounted on the outside of the vehicle.

(3) A mirror shall be—

- (a) constructed of such material; and
- (b) so fitted,

that it is not likely to cause injury to passengers in a motor vehicle.

#### **125F. STEERING GEAR, ETC.**

(1) A person shall not operate a motor vehicle unless the steering gear and associated mechanism are in a safe and efficient working condition.

(2) Except with the written authorization of the Superintendent, a person shall not operate a motor vehicle that has the steering column mounted to the left of the longitudinal centre line of the body of the motor vehicle, and that complies with the provisions of Section 140.

(3) For the purposes of this section, “steering gear and associated mechanism” includes—

- (a) steering gear; and
- (b) linkages; and
- (c) couplings; and
- (d) wheels; and
- (e) bearings; and
- (f) the attachment of the steering axle to the chassis of a trailer.

#### **125G. SUN VISOR.**

(1) Unless a motor vehicle is so constructed that it is not reasonably practicable so to do, it shall be equipped with an efficient sun visor for the use of the driver.

(2) A sun visor shall be—

- (a) constructed of such material; and
- (b) so fitted,

that it is not likely to cause injury to passengers in the motor vehicle.

#### **125H. TYRES.**

(1) A tyre fitted to a motor vehicle shall—

- (a) be free from any defect that is—

- (i) apparent by external examination; and
  - (ii) likely to render the use of the vehicle unsafe; and
- (b) subject to Subsection (5), have a clearly visible tread pattern on all surfaces that normally come into contact with the road surface.
- (2) A person shall not operate a motor vehicle if—
  - (a) pneumatic tyres of different types of structure are fitted to the same axle of the vehicle; or
  - (b) a diagonal ply tyre or a bias belted tyre is fitted on the rear axle, and a radial ply tyre is fitted on the front axle, of the vehicle.

(3) Subject to Subsection (4), a person shall not cause the designed tread depth of a tyre that is fitted to a motor car, motor cycle or other vehicle, to be increased by the process of regrooving.

(4) Notwithstanding Subsection (3), a tyre that is—

- (a) specifically designed and constructed for the process of regrooving; and
- (b) used on a motor truck, or on a machine, operated at a speed below 50Kph,

may be regrooved subsequent to manufacture.

(5) A rubber-tyred road roller may be fitted with a smooth, treadless tyre.

## **125I. TRAILER COUPLINGS.**

(1) Subject to Subsection (2), a person shall not operate a motor vehicle to which a trailer is attached unless the trailer is securely attached to that motor vehicle—

- (a) by an adequate coupling; and
- (b) except in the case of a semi trailer, by a securely attached chain or cable,

of sufficient strength to keep the trailer attached to the motor vehicle under all conditions of use.

(2) The provisions of Subsection (1) in respect of a chain and a cable do not apply to a trailer if—

- (a) that trailer is equipped with brakes; and
- (b) in the event of the trailer becoming disconnected from the motor vehicle to which it is attached, those brakes will automatically stop, and hold, the trailer.

(3) A person shall not operate a motor vehicle to which there is attached more than one trailer.

## **125J. UNSAFE VEHICLES.**

(1) A person shall not operate a motor vehicle—

- (a) in such a manner; or
- (b) that is in such condition; or
- (c) on which a load is so distributed or so covered,

as is likely to cause—

- (d) injury or annoyance to any person; or
- (e) damage to any property.

(2) A motor vehicle shall not be fitted with any ornament that is—

- (a) of such a nature; or
- (b) in such a position,

as is likely to cause injury to any person.

## **125K. WARNING DEVICES.**

(1) A person shall not operate a motor vehicle, other than a trailer, unless that motor vehicle is equipped with a warning device that is—

- (a) located in such a position that it can be readily operated by the driver; and
- (b) capable of giving a warning audible under normal conditions from a distance of not less than 100m.

(2) Except with the written approval of the Superintendent, a warning device referred in Subsection (1) shall emit a sound that is—

- (a) not strident; and
- (b) continuous and uniform.

## **125L. WINDSCREEN AND OTHER GLAZING.**

(1) A person shall not operate a motor vehicle fitted with a windscreen forward of the driver unless that windscreen is, at all times, kept so clean and so clear as not to impede or obstruct the forward view of the driver.

(2) A windscreen, other than a windscreen fitted to a motor cycle, and other glazing fitted to a motor vehicle shall be made of safety glass.

(3) An exterior glazing of a motor vehicle shall not have a surface film that has a reflecting capability perceptibly greater than that of untreated glass.

(4) No surface film shall be attached to the windscreen of a motor vehicle other than a strip of tinted film applied in such a way that no part of the film extends downwards more than 15cm from the top of the windscreen.



## **125M.WINDSCREEN WIPER.**

(1) A person shall not operate a motor vehicle, other than a motor cycle, that is fitted with a windscreen unless that windscreen is fitted with an efficient mechanically operated windscreen wiper.

(2) A motor vehicle fitted with a windscreen wiper shall be equipped with a device capable of washing the exterior of the windscreen within the area swept by the wiper.

## **125MA. OFFENCE.**

A person, who operates a motor vehicle which does not meet the requirements of this Part, is guilty of an offence.

Penalty: A fine not exceeding K500.00.

## **PART XA. – MATTERS RELATING TO THE CONSTRUCTION ETC., OF MOTOR VEHICLES.**

### ***Division 1.***

### ***Vehicles carrying more than eight passengers.***

## **125N.APPLICATION OF THIS DIVISION.**

This Division applies only to motor vehicles otherwise permitted under the provisions of this Regulation to carry more than eight passengers.

## **125O.BODYWORK.**

(1) In this section, unless the contrary intention appears–

“**approved**” means approved by the Board;

“**passenger area**” means that area of a motor vehicle where seating is provided for passengers.

(2) A passenger carrying motor vehicle shall–

- (a) in respect of the driver and passengers, provide adequate protection from the weather; and
- (b) not be equipped with fittings which have such sharp corners or edges, or which extend in such a way, as is likely to cause injury to passengers or damage to property; and
- (c) in respect of entrance, exit and aisles, be free from obstruction; and
- (d) in respect of steps, door hinges, handles and locks, be in good working condition; and
- (e) be effectively ventilated by windows, ventilators or by other approved means; and

- (f) in the case of a motor truck that has a framework permanently mounted to the chassis or subframe, have a framework constructed—
  - (i) in accordance with an approved design; and
  - (ii) of approved material; and
- (g) in the case of a motor truck other than a motor truck referred to in Paragraph (h)—
  - (i) have a framework that is fitted with approved locking devices for the purpose of attaching the framework securely to the motor truck; and
  - (ii) be made of approved material; and
  - (iii) subject to Subparagraph (i), have a metal frame securely attached to the chassis.

#### **125P. ENTRANCES.**

The entrance to the passenger area of a motor vehicle shall—

- (a) be situated on the left, or at the rear, of the passenger area; and
- (b) be not less than 55 cm in width; and
- (c) be fitted with a door, tail board, safety chain or drop bar, which shall be closed or placed in position, as the case may be, while the vehicle is in motion.

#### **125Q. EMERGENCY EXITS.**

(1) Where—

- (a) entry to the passenger area of a motor vehicle is provided in accordance with Section 125P; and
- (b) that motor vehicle is first registered after 1 January 1987,

that motor vehicle shall be equipped with an emergency exit which shall be—

- (c) a door on the right side; or
- (d) a push out or sliding window on the right side, in the roof or at the rear,

of the motor vehicle.

(2) An emergency exit referred to in Subsection (1) shall—

- (a) have a minimum clear area of 3500cm<sup>2</sup> with no dimension less than 53cm; and
- (b) be clearly defined; and
- (c) display instructions for opening the exit.

## **125R. STEPS.**

(1) A passenger carrying vehicle shall, for the purpose of access to and exit from the vehicle, if the floor height of the vehicle is more than 400mm above a level surface on which the vehicle stands, be equipped with fixed, or folding, steps.

(2) A step referred to in Subsection (1) shall have suitable covering or tread plate maintained in such condition as to prevent slipping.

(3) The rise between steps to which this section applies shall not exceed 300mm.

## **125S. SEATS.**

(1) Subject to the provisions of this section, seats in a passenger carrying vehicle may be arranged—

- (a) across the passenger area; or
- (b) along the perimeter of the passenger area,

or in both ways, as approved.

(2) Where seats are arranged in accordance with Subsection (1)(a), there shall be a clear aisle not less than 30cm in width.

(3) Where seats are arranged facing forward or backward, there shall be clear body-room of at least 66cm between each back support.

(4) Where two seats face each other, the distance between back supports shall be not less than 1.2m.

(5) A seat width of at least 40cm shall be provided for each passenger.

(6) A seat shall—

- (a) be securely fastened to a solid floor mounting; and
- (b) be at a comfortable height from the floor; and
- (c) provide reasonable depth; and
- (d) be capable of withstanding accidental impact; and
- (e) be fitted with adequate back support.

(7) No more than two persons (excluding the driver) shall sit in the cab of a motor truck.

## ***Division 2.***

### ***General provisions.***

## **125T. MAXIMUM WEIGHT.**

(1) For the purpose of calculating the maximum permissible gross weight of a motor vehicle, an adult passenger is deemed to weigh 70 kg.

(2) The maximum permissible gross weight of a motor vehicle shall not exceed—

- (a) the manufacture's gross vehicle weight; or
- (b) the maximum gross weight permitted under Section 118,

whichever is the lesser.

#### **125U. FUEL TANKS.**

(1) Motor spirits or other liquid fuel shall be carried in a permanent supply tank properly constructed and made of durable material.

(2) A fuel tank shall be so positioned that any fuel overflow does not fall on any woodwork or accumulate on any part of the vehicle.

(3) A fuel filling inlet—

- (a) shall be situated on the outside of the body of a motor vehicle; and
- (b) in the case of a petrol fuelled motor vehicle, shall not be situated—
  - (i) below, or laterally, within 600mm of any entrance or exit in general use; or
  - (ii) within 300mm of any exhaust outlet.

#### **125V. MOTOR VEHICLES CARRYING MORE THAN 18 PASSENGERS.**

A motor vehicle shall not carry more than 18 passengers unless it is equipped with dual rear wheels.

#### **125W. MAINTENANCE.**

A passenger carrying motor vehicle shall be so maintained that, at all times, the body work, interior fittings and all equipment are in good condition.

#### **125X. EXAMINATION AND TESTING OF CERTAIN VEHICLES.**

(1) If a member of the Police Force or an Inspector of Motor Traffic has reasonable cause to suspect that a vehicle—

- (a) has been involved in an accident; or
- (b) has been driven on a road recklessly or at a speed or in a manner that is dangerous to the public; or
- (c) has been stolen or taken without the consent of the owner,

and that vehicle is on any land or premises, he may enter the land or premises and search for the vehicle and examine and test it if found.

(2) If a member of the Police Force or an Inspector of Motor Traffic has reasonable cause to suspect that a motor vehicle does not comply with any requirement of the Act or of this Regulation, he may—

- (a) require the owner or the person in charge of the vehicle to produce it to him or to a person named by him for the purpose of being tested; and
- (b) for that purpose remove the vehicle to the nearest convenient place where it can be tested; and
- (c) detain the vehicle for such time as is necessary for testing it.

(3) If when required under Subsection (2)(a) to produce a vehicle, the owner or person in charge of the vehicle does not produce—

- (a) the vehicle; and
- (b) the key or other device necessary for starting the engine,

he is guilty of an offence.

#### **125Y. DEFECT NOTICES AND LABELS.**

(1) If a member of the Police Force, or a person authorized by the Superintendent to inspect motor vehicles, finds on inspecting a motor vehicle that—

- (a) it is not suitable for safe use; or
- (b) it does not, or its parts and equipment do not, comply with a requirement of this Regulation,

he may issue to the owner or person in charge of the vehicle a defect notice in Form 27.

(2) Where a person issues a defect notice under Subsection (1), he shall affix a defect-label in Form 27A to the windscreen or other convenient part of the vehicle in question.

(3) A person who acts contrary to the directions contained in Part A of a defect notice issued under Subsection (1) is guilty of an offence.

#### **125Z. OFFENCE.**

A person who operates a vehicle which does not meet the requirements of this Part and which is not otherwise exempted is guilty of an offence.

Penalty: A fine not exceeding K500.00.

### **PART XI. – TRAFFIC SIGNS AND LINES.**

#### **126. INTERPRETATION OF PART XI.**

(1) In this Part—

“**lane line**” means a line marked, by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, along the carriageway of a public street to indicate the boundary of a traffic lane;

“**separation lines**” means a pair of lines—

- (a) both of which are unbroken; or
- (b) one of which is broken and the other unbroken, marked, by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, in close proximity to each other along the carriageway on or near the centre line or to one side of the centre line;

**“stop line”**, in relation to a motor vehicle facing a traffic control light, signal or sign displaying the word ‘STOP’, means an unbroken line 300mm to 600mm wide, marked across the traffic lanes approaching a control device at which traffic is legally required to stop and which unbroken line—

- (a) indicates the point behind which traffic shall stop when required; and
- (b) shall be white; and
- (c) may be indicated by means of plates, markers, paint, lacquer or a plastic substance, or similar object or material;

**“traffic lane”** means a laneway for the passage of vehicles marked along the carriageway, the boundaries of which laneway are indicated by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, and includes any such laneway where one boundary is so indicated and the other is a lateral edge of the carriageway or of an island, strip, platform, plot or other division in the carriageway;

**“traffic sign”** means a sign referred to in this Part.

(2) [*Repealed.*]

## **126A. AUTHORIZATION OF SIGNS.**

The Superintendent or a person authorized by him may—

- (a) erect, display or cause to be erected or displayed a sign, device or notice purporting to be a traffic sign; or
- (b) remove, or cause to be removed, an existing traffic sign.

## **127. TRAFFIC SIGNS.**

(1) Unless otherwise prescribed in this Regulation, the words prescribed by this section shall be in letters not less than 100mm high.

(2) A stop sign is an octagonal sign measuring 600mm between each pair of parallel sides with the word ‘STOP’ in white letters on a red background.

(3) A give way sign is an equilateral triangle of height 760mm with one point downward, with the words “GIVE WAY” in white letters on a red background.

(4) A no entry sign is a rectangular sign 450mm x 750mm, the longer sides being vertical with—

- (a) a red sphere of diameter 370mm containing a white bar 300mm by 48mm centrally across its horizontal diameter; and
- (b) the words “NO ENTRY” in black, on a white background.

(5) A no overtaking sign is—

- (a) a rectangular sign about 600mm by 450mm, the longer sides being vertical, with the words “NO OVERTAKING” or “NO PASSING”, in black letters on a white background; or
- (b) a circular sign, with the words “NO OVERTAKING” in black letters on a yellow background.

(6) A no parking sign is—

- (a) [*Repealed.*]
- (b) a rectangular sign about 450mm by 300mm, the longer sides being vertical, with the words “NO PARKING” in red, green or black letters on a white background,

and with such other words and figures as are appropriate to indicate the relevant prohibition or permission, or other information required.

(7) A no standing sign is a rectangular sign about 450mm by 300mm, the longer sides being vertical, with—

- (a) the words “NO STANDING” in red, green or black letters on a white background; and
- (b) such other words and figures as are appropriate to indicate the relevant prohibition or permission, or other information required.

(8) A one way sign is—

- (a) a rectangular sign about 900mm by 300mm, the longer sides being horizontal, with a bold white arrow and the words “ONE WAY” in black letters within the arrow on a black background; or
- (b) a rectangular sign 300mm by 450mm, the longer sides being vertical with—
  - (i) the words “ONE-WAY” in black; and
  - (ii) a broad, black arrow indicating the direction in which traffic may proceed,

on a white background.

(9) A keep left sign is—

- (a) a rectangular sign about 300mm by 450mm, the longer sides being

vertical, with—

(i) the words “KEEP LEFT” in black letters on a white background; and

(ii) where desired, a directional arrow below the letters; or

(b) [*Repealed.*]

(10) A hospital sign is—

(a) a diamond-shaped sign, being a square mounted with one diagonal vertical and having sides about 600mm long, outlined with a narrow black border at or near the edge of the signplate, with the word “HOSPITAL” in black letters on a yellow background; or

(b) [*Repealed.*]

(11) A school sign is—

(a) a diamond-shaped sign, being a square mounted with one diagonal vertical and having sides about 600mm long, outlined with a narrow black border at or near the edge of the signplate, with the word “SCHOOL” in black letters on a yellow background; or

(b) [*Repealed.*]

(12) A school crossing ahead sign is a diamond-shaped sign, being a square mounted with one diagonal vertical and having sides about 600mm long, outlined with a narrow black border at or near the edge of the signplate, with the words “SCHOOL CROSSING AHEAD” in black letters on a yellow background.

(13) A children crossing sign is a red flag, with the words “CHILDREN CROSSING” in white letters.

(14) A speed limit sign is a rectangular sign 450mm by 600mm, the longer sides being vertical with black figures enclosed within a broad red circle, all on a white background, the figures indicating the maximum speed at which vehicles may be driven between the sign and the next speed limit sign.

(15) A stock crossing sign is a diamond-shaped sign, being a square mounted with one diagonal vertical and having sides about 600mm long, outlined with a black border at or near the edge of the signplate, with the words “STOCK CROSSING” in black letters on a yellow background.

(16) A sign referred to in this section may contain, in addition to the prescribed words, a statement of their meaning in a vernacular so placed as not to obscure the prescribed words.

(17) The Superintendent may approve the use of any signs, the standard specifications for which are set out in PNGS 1151 Part 2. - 1986, Manual of Uniform Traffic Control Devices, in addition to those prescribed in the preceding provisions of this section, if he is of the opinion that such signs are necessary for public safety.



## 128. CONTROL LIGHT SIGNALS.

(1) In this section “pedestrian control signal” means a signal of a kind referred to in Subsection (11), (12) or (13).

(2) The Superintendent may erect or authorize the erection of signs in the form of traffic control light signals for the guidance of the drivers of motor vehicles and pedestrians.

(3) The display by a traffic control light signal of a green circle is a direction that—

- (a) a driver facing the signal may—
  - (i) subject to the Act and this Regulation, proceed straight ahead, turn right or turn left, as the case may be; and
  - (ii) where such a turn may be made with safety to the public, turn right or turn left, as the case may be, even though a signal is displaying a red circle in respect of the carriageway that he is about to enter; and
- (b) a pedestrian facing the signal may, subject to the Act and this Regulation and in the absence of pedestrian control signals, leave the kerb and proceed straight ahead.

(4) The display by a traffic control light signal of a green arrow is a direction that a driver facing the signal may, subject to the Act and this Regulation and notwithstanding that the signal may also be displaying a red circle—

- (a) proceed in the direction indicated by the arrow; and
- (b) where the movement may be made with safety to the public, proceed even though a signal is displaying a red circle in respect of the carriageway that he is about to enter.

(5) The display by a traffic control light signal of a steady amber circle is a direction that—

- (a) a driver facing the signal shall not—
  - (i) in the case of a signal erected at or near an intersection or junction—
    - (A) proceed beyond the stop line in respect of the signal; or
    - (B) if there is no stop line, enter the intersection or junction, unless when the amber circle first appears his vehicle is so close to the stop line, or if there is no stop line the intersection or junction, that he cannot safely stop his vehicle before passing the stop line or entering the intersection or junction, as the case may be; or

- (ii) in any other case, proceed beyond—
  - (A) the stop line in respect of the signal; or
  - (B) if there is no stop line, the signal nearest to him on the left-hand side,

unless when the amber circle first appears his vehicle is so close to the stop line, or if there is no stop line the last-mentioned signal, that he cannot safely stop his vehicle before passing the stop line or signal, as the case may be; and

- (b) a pedestrian facing the signal shall not, in the absence of pedestrian control signals, leave the kerb.

(6) The display by a traffic control light signal of a steady amber arrow is a direction that a driver facing the signal shall not, for the purpose of proceeding in a direction indicated by the arrow—

- (a) proceed beyond the stop line in respect of the signal; or
- (b) if there is no stop line, enter the intersection or junction,

unless when the amber arrow first appears his vehicle is so close to the stop line, or if there is no stop line the intersection or junction, that he cannot safely stop his vehicle before passing the stop line or entering the intersection or junction, as the case may be.

(7) The display by a traffic control light signal of a steady red circle is, subject to Subsection (3), a direction that—

- (a) a driver facing the signal shall not—
  - (i) in the case of a signal erected at or near an intersection or junction—
    - (A) proceed beyond the stop line in respect of the signal; or
    - (B) if there is no stop line, enter the intersection or junction; or
  - (ii) in any other case, proceed beyond—
    - (A) the stop line in respect of the signal; or
    - (B) if there is no stop line, the signal nearest to him on the left-hand side; and
- (b) a pedestrian facing the signal shall not, in the absence of pedestrian control signals, leave the kerb.

(8) The display by a traffic control light signal of a steady red arrow is a direction that a driver facing the signal shall not, for the purpose of proceeding in a direction indicated by the arrow—

- (a) proceed beyond the stop line in respect of the signal; or
  - (b) if there is no stop line, enter the intersection or junction.
- (9) The display by a traffic control light signal of a flashing amber circle or arrow is a direction that—
  - (a) a driver facing the signal may, where it can be done with safety to the public, proceed straight ahead, turn right or turn left, as the case may be; and
  - (b) a pedestrian facing the signal may, in the absence of pedestrian control signals, leave the kerb and proceed straight ahead.
- (10) The display by a traffic control light signal of a flashing red circle or arrow is a direction that—
  - (a) a driver facing the signal shall not—
    - (i) in the case of a signal erected at or near an intersection or junction—
      - (A) proceed beyond the stop line in respect of the signal; or
      - (B) if there is no stop line, enter the intersection or junction; or
    - (ii) in any other case, proceed beyond—
      - (A) the stop line in respect of the signal; or
      - (B) if there is no stop line, the signal nearest to him on the left-hand side; and
  - (b) a pedestrian facing the signal shall not, in the absence of pedestrian control signals, leave the kerb.
- (11) The display by a traffic control light signal of a green “GO” sign or a green symbol of a walking man is a direction that a pedestrian facing the signal may, subject to the Act and this Regulation, proceed straight ahead.
- (12) The display by a traffic control light signal of a red “WAIT” sign or a red symbol of a standing man is a direction that a pedestrian facing the signal shall not leave the kerb.
- (13) The display by a traffic control light signal of a flashing “WAIT” sign is a direction that a pedestrian facing the signal shall not leave the kerb.
- (14) Where a traffic control light signal displays an arrow pointing upwards, the arrow shall, for the purposes of this section, be deemed to indicate the direction in which a vehicle facing the signal would proceed if it moved ahead without turning left or right.

## **129. OFFENCES IN RELATION TO TRAFFIC SIGNS GENERALLY.**

- (1) A person who drives a motor vehicle on a public street—
- (a) when approaching an intersection or junction where a stop sign is exhibited, and fails to stop his vehicle as near as is safely practicable to, and before entering on, the intersection or junction; or
  - (b) where a stop line is exhibited, and fails to stop behind the stop line before crossing it; or
  - (c) where a give way sign is exhibited to face the driver approaching a one-lane bridge, and fails to give way to every vehicle on the bridge or approaching it from the opposite direction; or
  - (d) where a give way sign is exhibited to face the driver approaching an intersection or joining carriageway, and fails to give way to every vehicle travelling along or turning from or into the intersection or joining carriageway; or
  - (e) contrary to a no entry sign; or
  - (f) where a no overtaking sign is exhibited, and overtakes a vehicle; or
  - (g) where a one way traffic sign is exhibited, in the opposite direction to that indicated on the sign; or
  - (h) where a keep left sign is exhibited, and fails to keep left; or
  - (i) where a hospital sign is exhibited, and creates an unnecessary noise; or
  - (j) where a speed limit sign is exhibited, and drives in excess of the speed limit indicated by the sign; or
  - (k) on which there is a pedestrian crossing and—
    - (i) drives through the crossing at a speed in excess of 25km/h; or
    - (ii) fails to stop to allow a person on the crossing to cross; or
    - (iii) passes or overtakes a motor vehicle passing through or stationary at the crossing; or
    - (iv) approaches the crossing at such a speed that he is unable to stop or to reduce speed to 25km/h, as the case requires; or
  - (l) where a stock crossing sign is exhibited, and fails to give way to sheep or cattle on the street; or
  - (m) where a children crossing sign is exhibited on both sides of the street and—
    - (i) drives through the crossing at a speed in excess of 25km/h; or
    - (ii) fails to stop to allow any person who wishes to cross between the flags to do so; or

- (iii) fails to remain stationary until all children crossing the street have completed the passage of the crossing; or
- (iv) passes or overtakes a motor vehicle passing through, or stationary at, the crossing; or
- (n) where any other sign prescribed under Section 127 or 128 is exhibited, and fails to comply with a direction on the sign,

is guilty of an offence.

(2) Subject to Subsections (3) and (4), a driver of a motor vehicle or a pedestrian who disobeys or fails to comply with the direction of a traffic control light signal referred to in Section 128 is guilty of an offence.

(3) A pedestrian who disobeys or fails to comply with the direction of any pedestrian control signal referred to in Section 128 is guilty of an offence.

(4) Where pedestrian control signals and other traffic control light signals are both erected at an intersection, junction or other place, a pedestrian must comply with the direction of the pedestrian control signal.

Penalty: A fine not exceeding K100.00.

### **130. UNAUTHORIZED SIGNS.**

A person other than the Superintendent or a person authorized by the Superintendent who—

- (a) erects, displays or causes to be erected or displayed a sign, device or notice purporting to be a traffic sign; or
- (b) removes, alters, destroys, defaces or interferes with a traffic sign,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

### **131. TRAFFIC LINES.**

(1A) The Superintendent may approve the use of any traffic line marking, the standard specifications for which are set out in PNGS 1151 Part I-1986, Manual of Uniform Traffic Control Devices.

(1) Subject to Subsections (2) and (3), a person who drives a motor vehicle on a public street and—

- (a) where there are separation lines, both of which are unbroken—fails to keep them on the right-hand side of his vehicle; and
- (b) where—
  - (i) there are separation lines, one of which is broken and the other unbroken; and

- (ii) the unbroken line is between the broken line and the boundary of the carriageway that is on his left,

fails to keep the unbroken line on the right-hand side of his vehicle; or

- (c) when travelling along a traffic lane at a point where a boundary of the lane is a single unbroken line—crosses or straddles the line; or
- (d) when travelling along a traffic lane—fails to keep his vehicle and any load on it wholly within the lane, unless he may lawfully do otherwise under this Regulation; or
- (e) crosses a lane line or fails to keep a separation line on the right-hand side of the vehicle, unless he can do so with safety to the public,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

(2) It is not an offence against Subsection (1) for a person—

- (a) to drive with a separation line on the left-hand side of his vehicle, or to cross a lane line or separation line, in conformity with any direction in or on—
  - (i) a standard, notice or device erected or displayed under this Regulation; or
  - (ii) any other marking on the roadway; or
- (b) to cross a lane line or separation line when turning his vehicle—
  - (i) to his right or left from one public street into another, at an intersection, in conformity with the Act and this Regulation; or
  - (ii) to his right—
    - (A) at a point where he is leaving by the shortest route the street in which he is driving; or
    - (B) when entering by the shortest route the street in which he intends to drive.

(3) Subsection (1)(c), (d) and (e) do not apply where the only longitudinal marking on the carriageway of a public street consists of a single broken or unbroken line on or near the centre line of the carriageway.

## **132. PARKING AND STANDING RESTRICTIONS.**

(1) The Superintendent may, by means of a sign erected under this Part, regulate or restrict the parking or standing of vehicles, or of certain vehicles or classes of vehicles, in a public street or place or a part of a public street or place.

(2) A person who parks or stands a motor vehicle, or causes or permits a motor vehicle to be parked or to stand, in contravention of a sign referred to in

Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K20.00.

## **PART XII. – SPEED LIMITS.**

### **133. GENERAL SPEED LIMITS.**

(1) Subject to Subsection (2), a person who drives a motor vehicle on a public street—

- (a) in a town—at a speed greater than 60km/h; or
- (b) outside a town—at a speed greater than 75km/h,

except where a greater speed is permitted by a speed limit sign under Part XI., is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(2) Subsection (1) does not apply in respect of a motor vehicle that—

- (a) is carrying a member of the Police Force on urgent duty; or
- (b) is a fire engine or other similar vehicle on urgent duty; or
- (c) is an ambulance on urgent duty; or
- (d) is a Red Cross vehicle conveying blood for an urgent transfusion,

if the driver of the vehicle gives the best practicable warning to enable way to be made for it.

### **134. SPEED ON INTERSECTIONS.**

A person who drives a motor vehicle at the approaches to, or on, an intersection of two public streets at a speed greater than 25km/h is guilty of an offence.

Penalty: A fine not exceeding K50.00.

### **135. SPEED PAST SCHOOLS AND PLAY-GROUNDS.**

(1) Subject to Subsection (2), a person who drives or rides a motor vehicle or animal at a speed greater than 25km/h while passing a school, school play-ground or children's play-ground at a time when children are going into or coming out of the school or play-ground is guilty of an offence.

Penalty: A fine not exceeding K50.00.

(2) A person shall not be convicted of an offence against Subsection (1) unless the prosecution proves that on or near the road on which the defendant drove or rode a vehicle or animal there was a sign bearing in clear letters the word "School", "School Play-ground" or "Children's Play-ground" erected in such a position as to give reasonable warning to the defendant of the existence of the school or play-

ground.

### 136. SPEED-MEASURING AND TIME-MEASURING DEVICES.

(1) In this section—

**“authorized testing officer”** means a technician having experience or training in radar equipment;

**“speed-measuring device”** means a speed-measuring device prescribed in Subsection (2).

(2) For the purposes of Section 46 of the Act, a prescribed measuring device is—

(a) the Kustom HR5 Hand Held Traffic Radar System or Speed Measuring Device; or

(b) the Kustom’s “Falcon” Hand Held Traffic Radar System or Speed Measuring Device.

(3) Every speed-measuring device for determining the speed at which a motor vehicle travels shall be tested for accuracy and sealed, in accordance with Subsection (4), by an authorized testing officer—

(a) before being first used; and

(b) afterwards, at least once in each six months.

(4) The seal on a speed-measuring device that has passed the test for accuracy shall be a seal that effectively prevents the mechanism of the device being tampered with or interfered with without the seal being broken.

(5) If after the sealing of a speed-measuring device in accordance with Subsection (3) any repair, alteration or adjustment to its mechanism is affected, it shall again be tested for accuracy and sealed by an authorized testing officer.

(6) Full and accurate records of all speed-measuring devices tested and sealed shall be kept by the authorized testing officer in a book provided for the purpose, giving in each case—

(a) the identifying number of the device; and

(b) the dates on which tests were made; and

(c) the results of the tests; and

(d) the signatures of the persons conducting the tests.

(7) The production of a certificate signed by an authorized testing officer is prima facie evidence of—

(a) the testing and sealing of the speed-measuring device referred to in the certificate; and

(b) the accuracy of the device.



(8) A person who, without proper authority, wilfully tampers or interferes with the mechanism of a speed-measuring device is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(9) For the purposes of this section, a certificate of—

- (a) approval for speed measuring or time measuring devices shall be in Form 34; and
- (b) accuracy of speed measuring or time measuring device shall be in Form 35; and
- (c) authority to test a speed measuring or time measuring device shall be in Form 36.

## **PART XIIA. – SEAT BELTS.**

### **136A. INTERPRETATION OF PART XIIA.**

In this Part –

**“anchorage point”** means an anchorage point for a seat belt;

**“child”** means a person who has attained the age of one year but has not attained the age of 14 years;

**“prescribed motor car”** means a motor vehicle of Class 1;

**“seat belt”** means a restraining device used in a motor car which provides restraint for the upper and lower torso of the wearer whilst the motor car is in motion.

### **136B. WEARING OF SEAT BELTS.**

(1) A person who occupies a seat position in a prescribed motor car to which a seat belt has been fitted, shall not drive or travel in such motor car upon a public street unless—

- (a) the person is wearing the seat belt appropriate to the seat which he occupies; and
- (b) the seat belt is properly adjusted and securely fastened.

(2) A person who travels upon a public street as a passenger in a prescribed motor car to which seat belts are fitted shall not occupy a seat position to which a seat belt is not fitted unless—

- (a) all seat positions to which seat belts are fitted are occupied by other persons; or
- (b) he is seated in the rear compartment of such motor car where there are no seat positions to which seat belts are fitted.

(3) A person who drives a prescribed motor car to which seat belts are fitted

on a public street shall not permit a child to be carried on any front seat unless the child is wearing a seat belt properly adjusted and securely fastened.

(4) A person who drives or travels in a prescribed motor car in contravention of Subsections (1), (2) or (3) is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K100.00. In the case of a child, a fine shall not be imposed where the child is found guilty of an offence under these provisions.

(5) The provisions of this section shall not apply to a person who is—

- (a) driving a prescribed motor car in reverse; or
- (b) the holder of a certificate signed by a medical practitioner certifying that the person is, for the period stated in such certificate, unable for medical reasons to wear a seat belt; or
- (c) the holder of a certificate signed by a medical practitioner certifying that because of the person's size, build or other physical characteristics, it would be unreasonable to require him to wear a seat belt; or
- (d) engaged on work which requires him to alight from and re-enter a prescribed motor car at frequent intervals and who, while so engaged, does not drive or is not travelling in such motor car at a speed exceeding 25 kilometres per hour.

### **136C. APPROVED SEAT BELTS AND ANCHORAGE POINTS.**

(1) A prescribed motor car first registered in Papua New Guinea on or after the date notified by the Minister in the National Gazette, shall have both in the front and rear compartments of such motor car—

- (a) seat belt anchorage points which comply with the Papua New Guinea standard for seat belt anchorage points; and
- (b) seat belts which comply with the Papua New Guinea standard for seat belts fitted to all anchorage points in such motor car.

(2) A person shall not, after the date notified by the Minister in the National Gazette—

- (a) sell or offer for sale a seat belt which does not comply with the Papua New Guinea standard for seat belts; or
- (b) fit or otherwise attach a seat belt to a prescribed motor car first registered in Papua New Guinea on or after the date notified by the Minister in the National Gazette, unless both seat belts and anchorage points comply with the Papua New Guinea standards for seat belts and seat belt anchorage points.

(3) A person who sells, attempts to sell or attaches a seat belt to a prescribed

motor car in contravention of this section is guilty of an offence.

Penalty: A fine of not less than K50.00 and not exceeding K100.00.

(4) In this section, the Papua New Guinea standard for seat belts and seat belt anchorage points means the specifications issued by the National Standards Council under the *National Institute of Standards and Industrial Technology Act 1993* and known as “PNGS 1316:1989 Part 1: 1989 Part 2: 1989”.

### **PART XIII. – TRAFFIC RULES GENERALLY.**

#### **137. GENERAL RULES.**

(1) In this section, “footpath” includes, where a footpath is not defined or is not clearly defined, the portion of the street on the left of the carriageway of the street.

(2) The driver of a motor vehicle on a public street must—

- (a) except when travelling within one of a number of traffic lanes available for traffic proceeding in the same direction as that in which the vehicle is being driven, keep the vehicle as near as practicable to the footpath on his left-hand side; and
- (b) when meeting a horse or vehicle, pass with it on his right-hand side; and
- (c) subject to Subsection (4), when overtaking a horse or vehicle—
  - (i) pass with it on his left-hand side; and
  - (ii) not cross over to the left-hand side of the street until his vehicle is clear of the horse or vehicle; and
- (d) before stopping, drive the vehicle close to the footpath on his left-hand side; and
- (e) subject to Subsection (3), when he is about to stop or reduce speed—
  - (i) raise his right hand in such a manner as to be visible to any person immediately following; or
  - (ii) give such other signal as is prescribed; and
- (f) comply with any directions given by a member of the Police Force as to—
  - (i) the manner of approaching and departing from any place; or
  - (ii) the manner of taking up or setting down passengers, or of loading or unloading goods; or
  - (iii) the regulation of traffic; and
- (g) when necessary, give, by sounding a bell, horn or other alarm, sufficient warning of the approach of the vehicle to any person

walking, riding or driving on a public street; and

- (h) when his vehicle is in a position where it is likely to obstruct an overtaking vehicle, and whether or not the horn or alarm of the overtaking vehicle has been sounded, cause his vehicle to move to the left, as soon as he can do so with safety, so as to allow the overtaking vehicle a reasonable space in which to pass; and
- (i) when he is overtaken by another vehicle, not deviate to his right or increase the speed of his vehicle until the overtaking vehicle has had a reasonable opportunity to pass and draw clear of his vehicle; and
- (j) exercise due care not to splash mud or water on any person—
  - (i) in or on, or entering or leaving, a stationary vehicle; or
  - (ii) crossing a public street.

(3) The driver of a motor vehicle is not required to observe Subsection (2)(e) if there is fixed to the rear of the vehicle, in such a position as to be visible to any person immediately following, a lamp or other apparatus that clearly indicates to a person following that he is about to stop or reduce speed, as the case may be.

(4) The driver of a motor vehicle on a public street—

- (a) must, when overtaking a vehicle or horse the driver or rider of which has signalled his intention to turn to the right, pass on its left-hand side; and
- (b) when overtaking a vehicle or horse travelling along a traffic lane on his right-hand side, may remain in the left-hand lane and pass the vehicle or horse on its left-hand side.

(5) When the driver of a motor vehicle on a public street is about to turn or diverge to the right, he must, when he is at least 30m from the point at which it is intended to turn or diverge—

- (a) draw his vehicle out towards his right, to a point just to the left of the centre-line of the carriageway; and
- (b) give a clear signal of his intention to turn or diverge to the right—
  - (i) by extending his right arm and his hand, with the palm turned to the front, and holding them in a horizontal position straight out on the right-hand side of the vehicle; or
  - (ii) by giving a “Turn Right” signal by means of a flashing light turn signal of a type described in Section 102; and
- (c) continue to give the signal required by Paragraph (b) for so long as is necessary to give to other users of the road a clear indication of his intention to turn or diverge to the right; and
- (d) before turning to the right from one public street into another, drive

parallel to the footpath and as near as possible to the left-hand side of the centre of the street that he is leaving until he is past the centre of the intersection of the two streets.

(6) When the driver of a motor vehicle on a public street is about to turn or diverge to the left, he must—

- (a) when he is at least 30m from the point at which it is intended to turn—
  - (i) give a signal in accordance with Subsection (2)(e); or
  - (ii) give a “Turn Left” signal by means of a flashing light turn signal of a type described in Section 102; and
- (b) drive his vehicle in such a way that when it reaches the point at which it is intended to turn—
  - (i) the vehicle is—
    - (A) on the left-hand side of any vehicle proceeding in the same direction; and
    - (B) as near as practicable to the left-hand boundary of the carriageway; or
  - (ii) if he is—
    - (A) in a traffic lane in respect of which there is erected or displayed a sign; or
    - (B) on a carriageway on which there is marked a directional arrow or other road marking,  
indicating that traffic proceeding in the same direction as his vehicle may make a left-hand turn from that lane—  
the vehicle may make such a left-hand turn; and
- (c) take adequate precautions to avoid any danger of his vehicle colliding with any pedestrian who, or any vehicle or animal that, is on any portion of the intersection of the streets.

(7) The driver of a motor vehicle on a public street must not—

- (a) wilfully stop—
  - (i) between the footpath and the near side of any vehicle that is stopped for the purpose of taking up or setting down passengers or goods; or
  - (ii) opposite the entrance to a public street; or
  - (iii) across a passage, thoroughfare or foot-crossing; or
  - (iv) on the intersection of a public street; or
- (b) except in a place where a notice is exhibited indicating that angle

parking is permitted—stand his vehicle, or cause or permit his vehicle to stand, on a one-way street unless it is—

- (i) as near as practicable to and parallel with a boundary of the carriageway; and
  - (ii) facing the direction in which the traffic is allowed to proceed; or
- (c) except—
- (i) in a one-way street; or
  - (ii) in a place in which a notice is exhibited indicating that angle parking is permitted,

stand his vehicle, or cause or permit his vehicle to stand, in the street unless it is as near as practicable to and parallel with the boundary of the carriageway that is on the left-hand side of the vehicle; or

- (d) where a notice is exhibited indicating that angle parking is permitted—stand his vehicle, or cause or permit his vehicle to stand, in the street unless it is placed at an angle of 45°, or at such other angle as is indicated by the notice, to the boundary of the carriageway, and as near as practicable to the boundary; or
- (e) stand his vehicle, or cause or permit his vehicle to stand, abreast of any other vehicle unless—
  - (i) he is directed to do so by a member of the Police Force in the course of his duty; or
  - (ii) a notice is exhibited indicating that angle parking is permitted; or
- (f) stand his vehicle, or cause or permit his vehicle to stand, less than 1m from any other vehicle unless the other vehicle is parked at an angle to the boundary of the carriageway in a place as to which a notice is displayed indicating that angle parking is permitted; or
- (g) stand his vehicle, or cause or permit his vehicle to stand, so that it is within a distance of 6m on the approach side of a pedestrian crossing; or
- (h) stand his vehicle, or cause or permit his vehicle to stand, within a distance of 4m from any separation lines marked along the carriageway of the street; or
- (i) stand his vehicle, or cause or permit his vehicle to stand, within a distance of 6m measured at right angles from the prolongation of the nearest alignment of any intersecting street; or
- (j) stand his vehicle, or cause or permit his vehicle to stand, in such a way that any portion of it is on the carriageway in a position where, by

reason of any grade or curve in the street, the driver or rider of a vehicle or horse approaching it from the rear will not have a clear view of it for a distance of at least 50m; or

- (k) leave his vehicle without having taken due precautions against its being started in his absence; or
- (l) permit any person to drive his vehicle without the consent of the owner; or
- (m) cause his vehicle to travel backwards for a greater distance or time than is required for safety or reasonable convenience; or
- (n) while driving his vehicle, be in such a position that he has not full control of it or has not a clear view of the traffic; or
- (o) cause or permit an undue amount of smoke to be emitted from any part of his vehicle; or
- (p) race with another vehicle.

(8) The driver of a motor vehicle must not go on a public street that is closed against traffic.

(9) When two motor vehicles are approaching an intersection or junction, the driver of the vehicle having the other on its right must give way to the other vehicle.

Penalty: A fine not exceeding K50.00.

### **138. OBSTRUCTION OF TRAFFIC.**

(1) The driver of a motor vehicle on a public street must not wilfully or negligently obstruct, hinder or prevent the free passage of any person, vehicle, horse or cattle.

(2) A person who causes or permits a vehicle to stand on a public street in such a position as to obstruct traffic or unreasonably cause inconvenience to any person is guilty of an offence.

(3) A person who causes or permits an obstacle to be placed in a public street in such a position as to obstruct traffic or unreasonably cause inconvenience to any person is guilty of an offence.

Penalty: A fine not exceeding K100.00.

### **139. MAKING WAY FOR EMERGENCY VEHICLES.**

At the sounding of a siren or horn on the approach of, and during the passage of—

- (a) a motor vehicle apparently conveying a member of the Police Force on urgent duty; or
- (b) a fire engine or other similar vehicle apparently proceeding on urgent

duty; or

- (c) an ambulance apparently proceeding on urgent duty; or
- (d) a Red Cross vehicle apparently proceeding on urgent duty,

any person driving a motor vehicle on a public street must cause his vehicle—

- (e) to be drawn as near as practicable to and parallel with the boundary of the carriageway on his left-hand side; and
- (f) to be brought to a standstill; and
- (g) to remain stationary as long as is reasonably necessary.

Penalty: A fine not exceeding K100.00.

#### **140. LEFT-HAND DRIVE VEHICLES.**

Subject to Section 125F(2), a person who drives, or causes or permits another person to drive, on a public street, a motor vehicle with left-hand drive—

- (a) without having the words “left-hand drive” clearly painted in letters at least 75mm high on the rear of the vehicle; or
- (b) that is not fitted with a flashing light turn signal as described in Section 102,

is guilty of an offence.

#### **141. TOWING.**

(1) A person who drives on a public street a motor vehicle that has a vehicle (not being a trailer) attached to it for the purpose of being towed—

- (a) so that the space between the vehicles exceeds 4m; or
- (b) when the vehicle towed is a motor vehicle not supported by the towing vehicle—without a competent person in charge of the vehicle towed; and
- (c) where the two vehicles are joined by means of a tow-rope, chain or wire—without a conspicuous piece of red cloth tied midway between both vehicles; or
- (d) between sunset and sunrise—without a lighted lamp fixed at the rear of the vehicle being towed; or
- (e) with the towed vehicle so attached to the towing vehicle as to force the towed vehicle to deviate from the route taken by the towing vehicle,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

(2) A person must not tow agricultural machinery on a public street within a town without the prior written permission of the Superintendent or an Inspector of



Motor Traffic, which permission is subject to any instructions or directions given by the Superintendent or the Inspector giving it.

Penalty: A fine not exceeding K500.00.

#### **142. FASTENING OF LOADS.**

A person who drives a motor vehicle, or causes or permits a motor vehicle to be driven, on a public street when the load or equipment on the vehicle, or on a trailer drawn by it—

- (a) is insecurely fastened or loaded; or
- (b) is not so arranged, contained or covered that no part of it can fall from the vehicle or trailer,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **143. WIDTH OF VEHICLES.**

A person who, without the prior written consent of an Inspector of Motor Traffic, drives, or permits a person to drive, on a public street a motor vehicle that—

- (a) is wider than 2.45m; or
- (b) has a load projecting wider than 2.45m,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **144. PROJECTING LOADS, ETC.**

A person who drives, or permits a person to drive, on a public street a motor vehicle that—

- (a) has any thing projecting more than 1.9m from its rear, unless—
  - (i) between the hours of sunrise and sunset, there is affixed to the projecting end of the thing a conspicuous piece of red material; and
  - (ii) between the hours of sunset and sunrise, there is carried on the projecting end a lighted lamp showing a bright red light; or
- (b) has any thing projecting more than 3m from its rear, unless the written consent of an Inspector of Motor Traffic is first obtained,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **145. RESTRICTIONS ON CARRIAGE OF PASSENGERS.**

(1) Subject to Section 145A, a person shall not operate a motor vehicle that carries more than eight passengers.

Penalty: For a first offence—a fine not exceeding K50.00.

For a second offence—a fine not exceeding K75.00.

For a third or subsequent offence—a fine not exceeding K100.00.

(2) Where a motor vehicle carries more than eight passengers the burden of proving whether or not those passengers are carried for hire or reward is on the owner and on the driver.

(3) Where, under Subsection (1)—

(a) the owner or driver of a motor vehicle is, on more than two occasions, convicted of an offence; and

(b) the convictions are in respect of the same motor vehicle,

the Superintendent may, for a period not exceeding six months, suspend the certificate of registration issued in respect of that vehicle.

(4) The Board may, on the application of the operator of a motor vehicle, by written notice, exempt a motor vehicle from the provisions of Subsection (1).

(5) An exemption under Subsection (4) may be granted in respect of—

(a) vehicles transporting members of a disciplined force; and

(b) vehicles owned by a fire brigade; and

(c) an ambulance; and

(d) vehicles owned by the State;

(e) vehicles owned by a Provincial Government; and

(f) vehicles owned by a Local-level Government Special Purposes Authority; and

(g) vehicles owned by a Local-level Government; and

(h) a vehicle used by a business to transport employees if such transportation is provided free of charge; and

(i) a vehicle owned by a person, if that vehicle is used to transport members of that persons immediate family; and

(j) a vehicle owned by a village—

(a) if that vehicle does not ply for hire or reward; and

(b) if that vehicle is used to transport members of the village that owns the vehicle; and

(k) such other vehicle as the Board may from time to time determine.

(6) For the purposes of Subsection (5)(i), “immediate family” includes the owner’s spouse, children, parents and parents of his spouse.

(7) Where the Board grants an exemption under Subsection (4), the Board shall, in accordance with Section 145A, specify in the notice the maximum number of passengers that may be carried on the vehicle the subject of the exemption.

(8) Nothing in this section shall be construed—

(a) applying to a motor-vehicle in respect of which a current certificate of registration as a motor-omnibus, taxicab or private hire car has been issued; and

(b) authorizing the carriage on a motor vehicle of fare paying passengers.

#### **145A. DETERMINATION OF NUMBER OF PASSENGERS TO BE CARRIED IN A VEHICLE, ETC.**

(1) The number of passengers that may be carried in a motor vehicle shall be determined—

(a) where seats are fitted to the vehicle, by allowing one passenger in respect of each 40cm of seat width; and

(b) where seats are not fitted to the vehicle, by allowing not less than 0.5m<sup>2</sup> of clear floor space in respect of each passenger.

(2) Subject to Subsection (8), the Board may—

(a) cause a motor vehicle to be measured; and

(b) in accordance with Subsection (1), determine the number of passengers that may be carried in a vehicle.

(3) Where, pursuant to Subsection (2), the Board determines that a motor vehicle may lawfully carry more than eight passengers, the Board may authorize the carriage—

(a) in or on that vehicle; or

(b) in or on a part of that vehicle,

of such number of passengers as the Board pursuant to that subsection determines.

(4) Subject to Subsection (8), the operator of a motor vehicle the subject of an authorization under Subsection (3) shall cause to be painted and maintained—

(a) in a legible condition; and

(b) in a position on the vehicle, and in a form, approved by the Board, a notice of the number of passengers authorized to be carried under that subsection.

(5) A person who contravenes the provisions of Subsection (2), (3) or (4) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(6) A person shall not operate a motor vehicle that carries passengers in or on a part of the vehicle designed primarily for the carriage of goods unless—

- (a) at least 50% of the vehicle is free of goods; and
- (b) the provisions of Subsection (1) are complied with.

(7) A person who contravenes Subsection (6) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(8) Subject to Section 145, the Board may—

- (a) in such circumstances; and
- (b) on such conditions,

as the Board determines, exempt a motor vehicle from any or all of the provisions of Subsections (1), (2) and (3).

#### **146. PASSENGERS STANDING, ETC., IN MOTOR TRUCKS.**

(1) A person who drives, or permits a person to drive, on a public street a motor truck while any person is standing in it is guilty of an offence.

(2) A person who stands in a motor truck while it is being driven on a public street is guilty of an offence.

Penalty: A fine not exceeding K20.00.

#### **147. PASSENGERS IN TIP-TRUCKS.**

A person who drives, or permits a person to drive, on a public street a tip-truck carrying a passenger in the tray is guilty of an offence unless—

- (a) the truck has a locking device, approved by the Superintendent, fitted to the tipping mechanism; and
- (b) that mechanism is kept locked while the passenger is so carried,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **148. PASSENGERS ON TRAYS OF VEHICLES.**

A person must not drive, or permit a person to drive, on a public street a motor vehicle carrying passengers on the tray unless the tray is fitted with rails, 380mm high above the tray, and so constructed as to—

- (a) remain erect under any normal pressure exerted on them; and
- (b) prevent any person from falling from the vehicle.

Penalty: A fine not exceeding K50.00.

#### **149. PERSONS ON RUNNING BOARDS OR PARTLY OUTSIDE VEHICLES.**

A person who drives, or permits a person to drive, on a public street a motor vehicle—

- (a) that is carrying a person on its running board; or
- (b) in which a person, without lawful and reasonable excuse, allows part of his body to project beyond the side of the vehicle,

is guilty of an offence.

Penalty: A fine not exceeding K50.00.

#### **150. PILLION RIDERS ON MOTOR CYCLES.**

(1) In this section, “passenger” means a person, other than the driver, riding on a motor cycle.

(2) Subject to Subsection (3), a person other than the driver must not ride on a motor cycle in a public street.

(3) One passenger may ride on a motor cycle if—

- (a) he rides astride the motor cycle, behind the driver; and
- (b) the motor cycle is equipped with proper footrests for the accommodation of the passenger, and the footrests—
  - (i) are rigidly affixed to the frame of the motor cycle not further than 150mm from the axle of the rear wheel; and
  - (ii) project outwards at right angles to the motor cycle for at least 115mm.

(4) A motor cycle must not be ridden in a public street unless the driver and any passenger are each wearing, securely fastened on his head, a protective helmet of a type approved by the Superintendent.

(5) Where a contravention of Subsection (2) or (4) occurs, the driver and the passenger are each guilty of an offence.

Penalty: A fine not exceeding K20.00.

#### **151. RIDING HANDS-OFF.**

A person must not ride a motor cycle on a public street without having at least one hand on the handle bars in such a position as to have adequate control of the steering.

Penalty: A fine not exceeding K10.00.

### **PART XIV. – MISCELLANEOUS.**

#### ***Division 1.***

***Miscellaneous Offences.***

**152. PRINTING OF NAMES ON TRUCKS.**

The owner of a motor truck must—

- (a) cause his name and address to be printed in letters, at least 25mm high, in a conspicuous position on the right-hand side of the truck; and
- (b) at all times maintain the name and address on the truck.

Penalty: A fine not exceeding K20.00.

**153. OWNER PERMITTING OTHER PERSON TO DRIVE.**

The owner of a motor vehicle must, before permitting a person to drive the vehicle—

- (a) require the licence of the person to drive a motor vehicle to be produced to him; or
- (b) otherwise satisfy himself that the person is licensed.

Penalty: A fine not exceeding K500.00.

***Division 2.***

***General.***

**154. RECORDS.**

The Superintendent shall record, or cause to be recorded, in registers to be kept for the purpose at a Motor Vehicles Registry, particulars of—

- (a) registrations of motor vehicles; and
- (b) the issue of certificates and licences.

**155. ON-THE-SPOT FINES.**

(1) For the purposes of Section 34(1) of the Act—

- (a) the prescribed offences are the offences described in the first column of Schedule 9 as prescribed in the sections respectively specified in the second column of that Schedule; and
- (b) the penalties for those offences are the penalties respectively prescribed in the third column of that Schedule.

(2) The prescribed form for the purposes of Section 34(1) of the Act is Form 29.

(3) Penalties referred to in Subsection (1) shall be paid to the Officer Commanding the Police Station specified in the notice.

**155A. PRESCRIBED OFFICER.**

For the purpose of Section 34A(1) of the Act, a prescribed officer is an Inspector of Motor Traffic.

#### **155B. TRAFFIC INFRINGEMENT SUMMONSES.**

(1) For the purposes of Section 34A of the Act, a Traffic Infringement Summons shall be in Form 29A.

(2) For the purposes of Section 34A of the Act—

- (a) the prescribed offences are the offences described in Column 1 of Schedule 9 as prescribed in the sections respectively specified in Column 2 of the Schedule; and
- (b) the penalties for those offences are the penalties respectively prescribed in Column 3 of that Schedule.

(3) For the purpose of any proceedings under this section and notwithstanding any other law, the description of an offence briefly described under Subsection 2(a) shall be deemed to include the offence prescribed in the relevant section of the Act or this Regulation, as the case may be, specified in Column 2 of Schedule 9.

(4) Penalties referred to in Subsection (2) shall be paid to the Clerk of the Court named in the Traffic Infringement Summons.

#### **156. PARTICULARS OF CONVICTIONS.**

The prescribed officer for the purposes of Section 39 of the Act is the Superintendent.

#### **157. RECORDS OF REGISTRATIONS, LICENCES, ETC.**

(1) The prescribed offices for the purposes of Section 42(1) of the Act are the Motor Vehicles Registries.

(2) The prescribed officer for the purposes of Section 42(2) of the Act is the Superintendent.

#### **158. SEIZURE OF ABANDONED, ETC., VEHICLES.**

(1) In this section, “officer-in-charge”, in relation to a motor vehicle that is kept or impounded under this section, means the officer who is in charge of the place at which it is so kept or impounded.

(2) A member of the Police Force may seize and take charge of, or cause to be seized and removed, a motor vehicle that—

- (a) is a danger to traffic or an unreasonable obstruction to traffic; or
- (b) has been abandoned or apparently abandoned,

in a public street, and a motor vehicle so removed may be kept or impounded at any

place set apart by the Superintendent for the purpose.

(3) Where a member of the Police Force seizes or removes a motor vehicle under Subsection (2), he shall—

- (a) if a person is in charge of the vehicle—
  - (i) request him to remove the vehicle, or cause it to be removed, immediately; and
  - (ii) afford him a reasonable opportunity to comply with the request; and
- (b) if no person is in charge of the vehicle—make reasonable inquiry for the purpose of locating the owner or driver of the vehicle.

(4) The inquiry referred to in Subsection (3)(b) shall be made in the vicinity of the place where the vehicle was found, but Subsection (3) does not require a member of the Police Force to enter a building for the purpose of the inquiry.

(5) If on inquiry under Subsection (3)(b) the owner or driver of the vehicle is found, the member of the Police Force shall—

- (a) request him to remove the vehicle, or cause it to be removed, immediately; and
- (b) afford him a reasonable opportunity to comply with the request.

(6) On the seizure of a motor vehicle under this section, the Superintendent shall—

- (a) where the name and address of the owner of the vehicle are recorded at the Motor Vehicles Registry in respect of the registration of the vehicle—within a period of seven days after the seizure, send or cause to be sent to the owner a notice setting out particulars of—
  - (i) the time, date and place of the seizure; and
  - (ii) the place where the vehicle is kept or impounded; and
- (b) where the name and address of the owner of the vehicle are not so recorded—
  - (i) if the owner can, after reasonable inquiry, be found—send to him, or cause to be sent to him, within seven days after the seizure, a notice setting out the particulars referred to in Paragraph (a)(i) and (ii); and
  - (ii) if the owner cannot, after reasonable inquiry, be found—cause a notice in Form 30, setting out those particulars, to be published in a newspaper published in, and circulating not less frequently than once a week in, the area in which the vehicle was seized.

(7) Except in the case of a motor vehicle that is dealt with under Subsection



(8), the following conditions shall be observed before the release of a motor vehicle kept or impounded under this section:—

- (a) application in Form 31 for the release, accompanied by a statutory declaration in Form 32, shall be made by the owner of the vehicle, or by a person acting for or on behalf of the owner, to the officer-in-charge;
- (b) the applicant shall furnish evidence, to the satisfaction of the officer-in-charge, as to the ownership of the vehicle;
- (c) the vehicle shall not be released unless—
  - (i) the officer-in-charge is satisfied that the applicant—
    - (A) is the owner of the vehicle; or
    - (B) possesses authority to act for or on behalf of the owner; and
  - (ii) the appropriate amount fixed by the Superintendent as the amount payable for the costs and expenses incurred in respect of the seizure, taking charge, removal, keeping, impounding and releasing of the vehicle has been paid to the officer-in-charge; and
  - (iii) the applicant has signed a receipt in Form 33, on a form supplied to him by the officer-in-charge, for the delivery of the vehicle.

(8) If at the end of a period of three months after the date on which the motor vehicle was seized the owner has failed to claim it and to pay the amount referred to in Subsection (7)(c)(ii), the vehicle may be disposed of in accordance with the *Unclaimed Goods Act 1966*.

#### **159. PAYMENT OF CERTAIN LICENCE FEES, REGISTRATION FEES, ETC.**

(1) Before—

- (a) the registration or the renewal of registration of a motor vehicle; or
- (b) the grant or renewal of a driving licence; or
- (ba) the grant of a certificate of roadworthiness; or
- (c) the grant of a learner's permit; or
- (d) the grant of a safety sticker; and
- (e) the approval of plans for the construction of a public motor vehicle; and
- (f) the testing and sealing of a taximeter; and
- (g) the examination for the authorization of an inspection station; and

- (h) in places to which this paragraph applies—the redemption of a licence or provisional licence produced to a court in accordance with Section 37 of the Act,

payment shall be made of the appropriate fee prescribed by Schedule 10 and Schedule 11.

(2) Where—

- (a) a certificate of registration; or
- (b) a trader's plate certificate,

has been surrendered under this Regulation, the Superintendent shall refund to the holder of the certificate an amount equal to one-twelfth of the relevant annual fee for each complete calendar month of the unexpired portion of the certificate.

(3) A fee under this section shall not be charged—

- (a) on the registration of a motor vehicle the property of the State; or
- (b) on the grant or renewal of a licence in a case where—
  - (i) the applicant for the grant or renewal produces to the Superintendent a certificate signed by a Departmental Head, a Superintendent of Police or a Provincial Administrator that, at the time of the application, he is employed by the State as a driver of a motor vehicle; or
  - (ii) the applicant for the grant or renewal is an officer or employee of the State exempted by a notice by the Head of State, acting on advice, from payment of the fee chargeable on the grant or renewal of a licence.

## **SCHEDULE 1**

### ***PAPUA NEW GUINEA.***

#### ***Motor Traffic Act 1950.***

#### ***Form 1 – APPLICATION FOR PERMIT TO LEARN TO DRIVE MOTOR VEHICLE.***

Reg., Sec. 2. Form 1.

### ***PAPUA NEW GUINEA.***

#### ***Motor Traffic Act 1950.***

#### ***Form 2 – APPLICATION FOR LICENCE OR PROVISIONAL LICENCE.***

Reg., Sec. 2(1), 7. Form 2.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 3 – LEARNER’S PERMIT.***

Reg., Sec. 3. Form 3.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 4 – PROVISIONAL LICENCE TO DRIVE MOTOR VEHICLE  
CLASS\*.***

Reg., Sec. 4. Form 4.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 5 – LICENCE TO DRIVE A MOTOR VEHICLE.***

Reg. Sec. 5. Form 5.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 5A – PAPUA NEW GUINEA DRIVER’S LICENCE.***

Reg., Secs. 4(1a), 5(1). Form 5A.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 7 – APPLICATION TO REGISTER MOTOR VEHICLE.***

Reg., Sec., 13. Form 7.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 8 – APPLICATION FOR TRANSFER OF REGISTRATION OF  
MOTOR VEHICLE.***

Reg. Sec. 23. Form 8.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 8A – CERTIFICATE OF ROADWORTHINESS.***

Reg. Sec. 13(1A). Form 8A.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 8B – REQUEST FOR TRANSFER OR ALLOTMENT OF  
SPECIFIC NUMBER TO A MOTOR VEHICLE.***

Reg. Sec. 13(3) Form 8B.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 9 – Registration Certificate.***

Reg. Sec. 14(1). Form 9.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 9A – REGISTRATION CERTIFICATE–PUBLIC MOTOR  
VEHICLE. No . . .***

Reg. Sec. 36(1), 37(1), 54(3). Form 9A.

***PAPUA NEW GUINEA.***

*Motor Traffic Act 1950.*

***Form 10 – CERTIFICATE OF TRANSFER OF REGISTRATION OF  
MOTOR VEHICLE.***

Reg., Sec. 23(5).      Form 10.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 10A – SAFETY STICKER.***

Reg. Sec. 25B      Form 10A.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 11 – APPLICATION FOR PERMIT UNDER SECTION 11 OF THE  
MOTOR TRAFFIC ACT.***

Reg., Sec. 26(1).      Form 11.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 12 – Permit under Section 11 of the Motor Traffic Act.***

Reg., Sec. 26(2).      Form 12.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 13 – APPLICATION FOR PMV LICENCE.***

Reg., Sec. 29(2).      Form 13.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 14 – PMV LICENCE.***

Reg., Sec. 26(3).      Form 14.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 14A – TRANSFER OF PMV LICENCE.***

Reg. 33E(9). Form 14A.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 15 – SPECIAL REGISTRATION LABEL.***

Reg., Sec. 31(1)(b). Form 15.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 15A – APPLICATION FOR PERMIT TO DRIVE A PUBLIC  
MOTOR VEHICLE.***

Reg., Sec. 33A. Form 15A.

***PAPUA NEW GUINEA.***

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***Form 15B – PERMIT TO DRIVE A PUBLIC MOTOR VEHICLE.***

Reg., Sec. 38B. Form 15B.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 15C – STOPPING PLACE SIGN.***

Reg., Sec. 38C. Form 15C.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 15D – APPLICATION FOR PERMIT AS CREW MEMBER ON A***

***PUBLIC MOTOR VEHICLE.***

Reg. Sec. 33CB. FORM 15D.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 15E – PERMIT TO ACT AS CREW MEMBER ON PUBLIC  
MOTOR VEHICLE.***

Reg. Sec. 33CC. FORM 15E.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 16 – TEMPORARY LICENCE AS HIRE CAR.***

Reg., Sec. 39(3). Form 16.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 17 – TEMPORARY LICENCE AS MOTOR OMNIBUS.***

Reg., Sec. 56. Form 17.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 18 – APPLICATION FOR GRANT/RENEWAL\* OF MOTOR  
VEHICLE/CYCLE\* TRADER'S PLATE.***

Reg., Sec. 81. Form 18.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 19 – TRADER'S PLATE CERTIFICATE.***

Reg., Sec. 82.(b). Form 19.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 20 – REPORT IN CONNECTION WITH APPLICATION FOR  
TRADER’S PLATE.***

Reg., Sec. 83(2).    Form 20.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 21 – APPLICATION FOR SUBSTITUTE CERTIFICATE OF  
REGISTRATION/DRIVING LICENCE/TRADER’S  
PLATE CERTIFICATE\*.***

Reg., Sec. 90(2)(a).    Form 21.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 22 – STATUTORY DECLARATION UNDER SECTION 90(2)(a)  
OF THE MOTOR TRAFFIC REGULATION.***

Reg., Sec. 90(2)(a).    Form 22.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 23 – SUBSTITUTE LICENCE.***

Reg., Sec. 90(2).    Form 23.

***PAPUA NEW GUINEA.***

***Motor Traffic Act 1950.***

***Form 24 – SUBSTITUTE CERTIFICATE.***

Reg., Sec. 90(2).    Form 24.

***PAPUA NEW GUINEA.***



***Motor Traffic Act 1950.***

***Form 25 – SUBSTITUTE TRADER’S PLATE CERTIFICATE.***

Reg., Sec. 90(2).

Form 25.